

PACATUS

Panegyric to the Emperor Theodosius

Translated with an introduction by
C.E.V. NIXON



Liverpool
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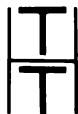
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Preface and Acknowledgements

This is the first translation of Pacatus' Panegyric to be published in English. I must acknowledge, however, the generosity of Barbara Saylor Rodgers, of the University of Vermont, with whom I am publishing a translation and commentary of the rest of the Gallic corpus of panegyrics, who put at my disposal her manuscript of both translation and commentary, an invaluable aid.

The translation is based on R.A.B. Mynor's edition of the XII Panegyrici Latini (OCT; Oxford, 1964); the infrequent departures from it are noted. The splendid edition of E. Galletier, Panegyriques Latins Vol. III (Budé; Paris, 1955) was a priceless boon to me, as it is to all students of the Gallic panegyrics. For elucidation of historical problems, I am deeply indebted to Otto Seeck's Geschichte des Untergangs der antiken Welt, Vol. V (2nd edit., 1920, reprinted Darmstadt, 1966). The friends and colleagues who have helped me with this project are too numerous to name, but I should like to thank in particular Edwin Judge, of Macquarie University, whose discernment clarified many a passage; John Davies and Robin Seager, of Liverpool University, who read the manuscript and suggested numerous improvements; Nicholas Horsfall, John Matthews and Fergus Millar, who among many others encouraged and helped me during my stay at Wolfson College, Oxford, in 1984; and Tony Birley, who drew my attention to neglected items. But I have done the bulk of the work; I fear this too often shows. Finally, I should like to dedicate this book to my wife and children who have lived with Latin panegyric rather longer than they would have wished.

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September 1986

INTRODUCTION

1. The genre of Panegyric¹

The word panegyrikos - "relating to a public festival, or assembly" - dates back to the fourth century B.C., and Isocrates. It came to be applied to a set speech delivered on such an occasion in praise of a city, country, god or individual, and Quintilian can use the term of eulogistic oratory in general (Inst. Orat. 2.10.11; 3.4.14). Hellenistic Kings were frequently the subject of such panegyrics, but it is clear that formal praise of rulers or prominent public figures is likely to take place wherever rhetoric flourishes, and Rome had its tradition of laudationes funebres, or speeches of praise pronounced at the funerals of great men, stemming purportedly from the earliest days of the republic (Cicero complains of the consequent falsification of history, Brutus 16.62).

With the rise of powerful individuals at Rome in the first century BC comes praise of the living, such as Cicero's speeches Pro Lege Manilia and Pro Marcello, both of which exercised a great influence on subsequent Latin oratory. Analogous to such speeches was the gratiarum actio, the speech of thanks, the exemplar for late antiquity being that of Pliny thanking Trajan for his consulship of AD100, which its author expanded and published, perhaps an unusual step at the time (Ep.3.18; cf 3.13).

With the Empire the occasions on which panegyrics were delivered were multiplied, and enormous numbers of them must have been delivered, of which all but a handful have perished.

Handbooks or treatises on eulogistic rhetoric were compiled, setting out instructions for the composition of speeches for various occasions such as arrivals and departures, birthdays, weddings and the like. Two attributed to Menander Rhetor survive from late antiquity,² and it is clear from these that late Latin oratory was heavily influenced by Greek rhetorical theory in regard to the structure of speeches and arrangement of topics, but naturally in expression its debt was to its Latin predecessors.³

2. The "Gallic Corpus"⁴

Pacatus' panegyric to Theodosius has been transmitted to us in a corpus of 12 speeches which, with the exception of Pliny's, emanate from Gaul. They are curiously arranged, being, again with the exception of Pliny's, more or less in reverse chronological order. Pliny's stands at the head of the corpus, followed by that of Pacatus (AD389), Mamertinus' gratiarum actio to Julian (362), and Nazarius' to Constantine (321). There follows "panegyrici diversorum VII", mainly anonymous, ranging in date from 311 back to 289, and finally one of 313. The authors of at least four of the seven panegyrics "of diverse authorship" are connected with Autun, and it is tempting to argue that these seven, the core of our corpus, constitute an earlier collection formed at Autun shortly after 311.

It is equally tempting to suggest that Pacatus was the editor of the extant corpus.⁵ While many of the panegyrists are in debt to others in the corpus, Pacatus' debt is the most striking and diverse. He borrows ideas and phraseology from all or almost all the other speeches in the collection (see my Commentary, passim), and, in particular, that of Panegyric 9 (AD313), which is neglected by the other panegyrists, and, standing last and "out of order" in the corpus as it does, was obviously a later addition. He is also heavily indebted to Mamertinus' speech of 362, and Nazarius' of 321, which implies that he admired them and would consider them worthy of incorporation. As we shall see, Pacatus was very probably a professor of rhetoric at Bordeaux, like Nazarius before him,⁶ and was therefore likely to have access to examples of the rhetor's art from a previous age. Pliny, whose Panegyric stands at the head of the collection as an exemplum, was a popular author in the late fourth century (Symmachus modelled his letters and even their arrangement on Pliny's - nine books of private correspondence, the tenth official).⁷ So it would seem that Pacatus gathered his favourite speeches together and added them to a pre-existing collection, and modestly attached his own tour-de-force in second position. His criterion for selection will have been literary, not historical, so the aim of the present work is rather at odds with his.

The compilation of such a corpus of panegyrics in Gaul should occasion no surprise. Gaul had long been a centre of rhetoric. Juvenal, for

instance, calls Gaul, with Africa, the nurse of advocates (Sat. 7.147-9) and has eloquent Gaul teaching British pleaders (Sat.15.111). And it had maintained its primacy. Symmachus had learnt his rhetoric from a Bordelais teacher, and sought a Gallic rhetor to instruct his son (see Commentary, note 3). Gallic oratory was the equal of Roman, as in recent times that of New Delhi has rivalled that of Westminster. But it was backward-looking: the Gallic corpus is remarkably "classical" in style and vocabulary; no wonder that it was the ghosts of Cato, Cicero and Hortensius which rose to haunt Pacatus in the Senate at Rome (1.4).

Most of the panegyrists represented in our collection were, or had been, professors of rhetoric in the schools of Gaul. But several of them had been in imperial service, and the relationship between court and schools was close. The schools provided educated recruits for the imperial government, and the government in turn subsidized chairs of rhetoric, for example that of Eumenius (Pan 5.14). This raises the question of the nature of the views put forward by the panegyrists. To what extent do they purvey official viewpoints? Did rhetors speak on official occasions by imperial invitation? Or did they volunteer to speak? What groups or bodies did they represent? Were they interviewed and briefed in advance? In particular, what were the circumstances in which Pacatus came to deliver a panegyric to Theodosius in Rome in 389?⁸

3. The Author

Latinus (or Latinus)⁹ Pacatus Drepanius was born in the territory of the Nitiobriges, the chief town of whom, Aginium (Agen), lay on the Garonne south east of Bordeaux. Such is the inescapable implication of a passage in a letter of Sidonius Apollinaris.¹⁰ Pacatus tells us (2.1) that he "hastened (to Rome) from the furthest recesses of Gaul, where Ocean's shore receives the setting sun, and where the land gives out and is united with its companion element". This description fits Bordeaux, and it seems highly likely that he had made that city his home, and that he was a professor of rhetoric in the schools at Bordeaux. As Galletier has observed, his failure to appear in Ausonius' Professors of Bordeaux is to be explained by the fact that it is a commemorative work, and that Pacatus was still alive when it

was composed.¹¹ Ausonius dedicated several works to his friend - the Eclogues, Technopaegnon and Ludus Septem Sapientum - and professed to regard his poetry, which does not survive, as inferior only to that of Vergil.¹²

But if Pacatus was a colleague of Ausonius, he was a much younger one - Ausonius addresses him as "filius" - and it is impossible to demonstrate an acquaintance between the two until late in Ausonius' life-time and difficult to find a period at which they might have been teaching together at Bordeaux.¹³ Perhaps, after all, the relationship was between poet and poet. Of Pacatus' life in Bordeaux we hear nothing.

What were the circumstances of Pacatus' long journey to Rome? He left in the aftermath of a political revolution: the previous year (388) Theodosius had at last met the armies of the usurper Magnus Maximus in the field - in Illyricum and in Italy - and the latter's five years of rule in Gaul had come to an end; he and his son had been killed, and his supporters and officials in Gaul presumably dismissed or cowed. Pacatus sought the victorious Emperor in Italy, "through admiration of (his) virtues" (2.1). It was a "pious duty", he tells us, "in fulfilment of a vow I once took" (3.2). Despite these protestations of personal involvement and initiative, it has usually been assumed that Pacatus was on an official mission as an ambassador from the Gauls - or some of them.¹⁴ There was certainly no shortage of official bodies who might have chosen a leading rhetor to make representations on their behalf to the senior Emperor on the occasion of his victory over their late master, or "tyrant". Congratulations were in order, and perhaps explanations of recent conduct. Compulsion had been exercised, one might claim (2.2-4), and Maximus had misrepresented Theodosius' attitude to him, and indeed their very relationship (24.1; 43.6). But anyone prominent in public life in Gaul, whether at diocesan, provincial or municipal level, might well feel nervous, and wish to send an emissary to assure Theodosius of his western subjects' goodwill. But Pacatus does not give us details of his mission, if any (unlike some of his predecessors; e.g. Pan.4.21.1). He simply speaks as a Gaul (23.1) on the subject of the misfortunes of the Gauls (24.4). While it is possible that he was speaking before the Emperor as an individual, it seems far more likely that he was acting in some official capacity or other.¹⁵ He certainly had it in mind to

return to Gaul after his speech was delivered (47.5-6), although we cannot prove that he did so. In the event, our speaker did his job well; Theodosius cannot have been displeased with his speech, for Pacatus turns up a few months afterwards as Proconsul of Africa (C.Th.9.2.4; 4 Feb., 390). Nor did his career end there, for he was comes rei publicae in 393.¹⁶

Pacatus tells us very little about himself in his speech, although it is possible to make intelligent guesses about the interests he was serving (*infra*). He spoke before an intensely religious Emperor, and there are passages in the panegyric which have excited speculation as to Pacatus' own religious views. Galletier (50-51) argues on the basis of several of these (4.5; 6.3-4; 10.1; 22.5; 29) that he cannot have been a Christian. None of these passages is conclusive (see notes *ad loc.*). Certainly it can be conceded that he took over material and modes of speech which stem from a non-Christian thought world, but that was simply appropriate to the genre, and says nothing about his personal beliefs, which he deliberately masks. Not for him the creation of a new genre, the Christian panegyric, which would praise an emperor not for his military exploits, but for his faith and humility.¹⁷

A sensitive commentator, René Pichon, detected more than conventional diatribe in Pacatus' onslaught on Maximus, and hypothesized that he was giving vent to personal rancour, that he was writing as a representative of the Gallo-Roman aristocracy whose interests had suffered, as well as a Gallic patriot.¹⁸ This may well be so. He certainly puts forward an upper-class point of view. When making great play of Maximus' "avarice", his confiscation of property (Ch.25-28), Pacatus singles out as victims "men who had performed the highest offices", "noble fugitives" and "ex-consuls stripped of their ceremonial robes" (25.1-2). Similarly, when he comes to praise Theodosius' clemency (45.6), he emphasizes that "the property of none was confiscated... no-one's previous rank was diminished". Passages such as these must have touched a sympathetic chord amongst his senatorial audience. Sulpicius Severus, who gave his property away and followed St. Martin, had a rather more detached view of Maximus' fiscal policies (see commentary, n.84).

Another passage which may reflect a personal reaction is that relating to the condemnation of the Priscillianists (Ch.29). Galletier

(51,58-9), following Pichon (149), is inclined to view it as the response of humanitarian indignation at religious intolerance, but there may be further reason for its inclusion. Maximus' court at Trier was far from Bordeaux, but the persecution of the Priscillianists touched prominent people from Pacatus' native district, in particular the widow Euchrotia, whose husband, the poet and rhetor Attius Tiro Delphidius, was one of the professors of Bordeaux (n.93). The family estate, to which Euchrotia had invited Priscillian after he had been ejected from Bordeaux, lay near Elusa, only forty miles to the south-west of Aginium (Agen), Pacatus' home town, and according to Sulpicius Severus (Chron. 2.48) Priscillian had infected many in the district. This is the explanation of the presence of the bishops of Bordeaux and Agen, Delphinus and Phoebadius, at the Council of Saragossa which condemned the doctrines of Priscillian and his followers in 380.¹⁹ Whatever the broader implications of the persecution, it seems to have made a deep impression on Pacatus,²⁰ and he writes with bitter irony on the subject (29.1-3 and nn.93-94).

4. General Historical Background

For much of the fourth century the Roman Empire was ruled by more than one Emperor, the task of ruling the whole being too great for most men as threats to its integrity were more or less continuous. Harmony and trust between Emperors was of crucial importance to Rome's welfare; political and religious differences were potentially disastrous.

Valentinian I's death in 375 left his youthful son Gratian Emperor of the Western Empire, but Valentinian's advisors contrived to have Valentinian II, Gratian's four year old half-brother, proclaimed Augustus as well (Amm. 30.10), and given rule over Italy, Africa and Illyricum. This might have made Gratian's task easier in Gaul, for he was no military man, and Gaul was under constant threat, but it gave Valentinian I's widow, Justina, a staunch Arian, access to power and influence which was to hinder unified policy-making.

Barbarians continued to press upon the whole length of Rome's northern frontier, and the Emperor in the east, Valentinian I's brother

Valens, had been forced to admit Goths into the Empire in 376. Mistreated, they rose in revolt, and at the battle of Adrianople in Thrace, 9 August 378, inflicted a terrible defeat on the Romans, a veritable Cannae (Amm. 31.13.19). Valens himself was killed. Illyricum was in turmoil, and Goths, Huns and Alani roamed over Roman soil from Constantinople to the Julian Alps (see Commentary, n.8). In this crisis Theodosius was summoned by Gratian from Spain, where he had been living after the execution of his father (Ch.9), and appointed magister militum in 378, then Augustus in 379, to fight the Visigoths and their allies. He failed to expel the barbarians from the Empire, however, and in 382 assigned them lands in Thrace by treaty.

In 383, Magnus Maximus, who had almost certainly been in command of troops in Britain (Comm. n.78), crossed into Gaul and Gratian was killed. Maximus set himself up as Emperor at Trier, and immediately began to negotiate with the court in Italy, and with Theodosius. Maximus had connections with Theodosius (cf. Ch.24.1, 31.3, 43.6 and accompanying notes), and Theodosius, a pious man and strenuous adherent to the Nicene creed, was troubled by the Arian complexion of a court dominated by Justina. The existing tension between eastern and western courts could only be compounded by the problem of how best to deal with the usurper Maximus.

It is difficult to gauge the amount of support which Maximus enjoyed in Gaul. Gratian, a cultured young man, was averse to the responsibilities of government, and was held to favour barbarians over Romans (Epit. 47.4-6; Zos. 4.35.2-3). Gaul had often chosen to act independently of the central government when it felt its interests were not being properly served, notably in the third century, but also more recently, and it may have welcomed a ruler who gave promise of more vigorous resistance to barbarian invaders. Certainly there is little sign of a threat to Maximus' government from within; he came to grief on a battle-field far from Gaul.

By the mid-fourth century Christianity was firmly entrenched in the towns of Gaul, as the career of Hilary of Poitiers demonstrates, but the countryside was comparatively untouched until the belligerent expeditions of Martin of Tours, described so vividly by Sulpicius Severus in his Life of St. Martin, resulted in the destruction of numerous pagan temples and

shrines, and their replacement by Christian churches.²¹ Gradually the Gallic landowning nobility became involved in the Church, and by the fifth century, with the breakdown of central government in the west, it was in the guise of bishops that members of this class assumed the leadership of their society. Thus late fourth century Gaul was in a state of religious ferment, and it is not altogether surprising that Maximus should have to deal with a crisis in the Church. In the event, however, this crisis was precipitated by an issue which had been imported into Gaul from Spain.

In the 370s Priscillian, a Spanish layman of noble birth and good education, preached a mystical and ascetic form of Christianity owing much to Gnosticism. His following numbered two bishops amongst it, but in 380 a Church Council at Saragossa (Caesaraugusta), which included two bishops from Aquitania, suggesting that the issue already affected Gaul, condemned his doctrines, although it did not mention him by name. Subsequently Priscillian was consecrated bishop of Avila - which incidentally lay scarcely forty miles south of Cauca, where Theodosius had been living in virtual retirement on his family estates only two or three years before.²² But Priscillian's opponents succeeded in driving him and his supporters out of Spain, whereupon they sought refuge with sympathisers in Aquitania. A journey to Italy to plead their case led to rebuffs from Pope Damasus in Rome and Bishop Ambrose in Milan, but they obtained a rescript from one of Gratian's officials authorising them to resume possession of their sees. But by now there was a new ruler in the west, Magnus Maximus, recently baptized as a Catholic (presumably by the bishop of Trier, no friend of the Priscillianists²³) and he was besieged by indignant bishops. In response Maximus convened a new Council at Bordeaux, in 384. Priscillian refused to recognise its authority, and appealed to Maximus. He was tried at Maximus' court at Trier, probably in 386, and executed on a charge of sorcery, along with several of his followers (see further, Comm. n.93ff).

Shortly after these events, probably in the summer of 387, Maximus invaded Italy, and, in the following year, Illyricum. After years of inaction Theodosius finally marched west against the usurper. It is Pacatus who with Zosimus provides us with our fullest account of Maximus' last campaign.

5. The date, circumstances and occasion of the speech

Pacatus' speech was delivered in Rome, in the presence of the Emperor Theodosius, his consilium (or "consistory") and the Senate (Ch.1,47), some time after the death of Maximus, whose suppression by Theodosius is its major theme. Maximus was put to death on July 28th or August 28th, 388 (Commentary n.145). Theodosius' first visit to Rome lasted from June 13th to Sept.1st, 389,²² and so the speech was delivered at some point during this period, but at what point is not clear. Ch.47 expatiates upon Theodosius' arrival at Rome, which some have taken to indicate an early date, but there seems to be a division of labour: Pacatus will discourse upon Theodosius' achievements "in barbarous lands and in distant provinces" (47.2); senatorial speakers will orate, as is appropriate, upon his subsequent deeds in Rome (47.4). It is implied that they will have much to speak of.

The speech was presumably delivered in the Senate house, with its intimidating ghosts (1.4). In this epoch an imperial visit to Rome was a rarity. I take it that Pacatus' purpose in journeying to Italy was to seek out the emperor and congratulate him on behalf of Gaul, upon his victory, and that it was an accident that he happened to catch up with him in Rome. Whatever the senatorial protocol of the day, it was deemed appropriate that Pacatus should address emperor, consistory and fathers: both emperor and senate gave their formal assent (47.2). It would seem that the occasion was largely a ceremonial one, and that Pacatus' speech was followed by others from Roman senators (47.3-4). Despite the locale, very little in Pacatus' speech is directed toward the senate: it is a speech in praise of Theodosius.

6. The historical context and significance of the speech

"The imperial oration is an encomium of the emperor. It will thus embrace a generally agreed amplification of things attaching to the emperor, but allows no ambivalent or disputed features, because of the extreme splendour of the person concerned."

Menander Rhetor²⁴

St. Augustine, when rhetor of the city of Milan, was called upon to pronounce a panegyric in praise of the Emperor. His intention, he

confesses, was to fill it with a great many lies, and he avers that they would certainly be applauded by an audience which knew them to be such (Confessions 6.6). We have no reason to think that Pacatus' intentions and accomplishment were a whit different. This may disconcert the reader who approaches our speech to glean historical information. But such is our ignorance of the period that we welcome the incidental intelligence that the panegyrist proffers, and even his "lies" and exaggerations can be revealing in themselves. And paradoxically, in this particular case, to have a panegyric account of the achievements of Theodosius, the victor, adds a dimension to our understanding of the period. Zosimus, our main narrative source, is virulently anti-Theodosian. Sulpicius Severus, biographer of St. Martin and chronicler, is surprisingly sympathetic to Maximus (Commentary, n.84). Ambrose, while opposed to Maximus, writes as a representative of the Court in Italy. Theodosius is in want of a spokesman.

This said, it must be admitted that the first half of Pacatus' Panegyric, in particular, contains much verbose and platitudinous vapouring, and all too little of historical substance, although there are some items of interest, such as a catalogue of the exploits of "Count" Theodosius, the Emperor's father (Ch.5), and snippets of information about Theodosius' early career. But the second half of the speech, on the "tyranny" of Maximus and its suppression (23 ff.), is an important source in its own right, containing, for example, the most detailed narrative we possess of Theodosius' final campaign against the usurper (30 ff.). Amongst other things, Pacatus also touches on the fate of Merobaudes (28.4) and the trial of Priscillian and his followers (29), and furnishes intriguing information about Maximus' claims, and his relationship with Theodosius (24.1; 30.1-2; 43.6). He speaks plainly of resentment at Theodosius' neglect of Gaul (23.1) and his failure to put a speedy end to the tyranny of Maximus (cf. 30.1). The colourful description of the plight of Gaul under the usurper (24.3 ff.) can be variously interpreted. There is some evidence to suggest that indeed life was not easy for men of property under Maximus (Commentary, n.84), but in more dispassionate accounts the latter earns his measure of praise (*ibid.*), and it is not cynical to suggest that one of Pacatus' chief purposes is to justify or extenuate any apparent collaboration with the tyrant (cf. 24.1; 43.6; and Commentary n.80). How closely Pacatus was touched by events we can only guess. It is by no means

inconceivable that some of his friends and acquaintances were closely associated with the regime, but if he were selected to perform some official mission on behalf of the Gauls (see above) one would scarcely expect him to have been tainted by any close dealings with the "purple-clad butcher" (24.1).

But while one may concede that Pacatus is concerned to put the behaviour of his fellow-Gauls in the best possible light, he is also serving the interests of the Emperor Theodosius. Pichon has sought to qualify this judgment by suggesting that Pacatus' personal feelings have led him to go further than Theodosius would have wished, that in depicting so vividly the tribulations of the Gauls he was embarrassing the emperor (cf. 24.2), indeed, was being "maladroit" (139-140). But I think he is inclined to underestimate the effect upon us of our own ignorance. I very much doubt that Pacatus was letting any cats out of the bag before his Roman audience. While it may be news to us that Maximus claimed both kinship with Theodosius and his support (24.1), it must have been common knowledge at the time, and Pacatus' mention of the claims indicates that they were still widely believed, and needed firm denial. It was surely with the approval of Theodosius that Pacatus makes Maximus' confession that his claims were false a highlight of the speech (43.6).

Another controversial question was Theodosius' policy towards barbarians, in particular, the Goths (Commentary, nn.67,110). The amount of space which Pacatus devotes to praise of the barbarians in Theodosius' army is striking (32.3 ff). Obviously he seeks to mute criticism of the emperor, which must have been strident in the West, as well as the East, in recent years, for one of the chief objections to Gratian was the favour he showed to his Alani, and Maximus had no doubt capitalized upon this (Commentary n.76).

Nonetheless, there is a school of thought that maintains that lofty silence is the best way to deal with criticism. That was not Pacatus' way.

Notes to Introduction

1. The best readily accessible introduction to the genre is Sabine MacCormack, "Latin Prose Panegyrics", in Empire and Aftermath, ed. T.A. Dorey (London, 1975) 143-205.
2. These have recently been edited and translated by D.A. Russell and N.G. Wilson, Menander Rhetor (Oxford, 1981) who date them tentatively to the reign of Diocletian. As MacCormack observes, op.cit. 169, Pacatus adheres closely to the rules of the handbooks.
3. Cf. MacCormack, op.cit., 143.
4. For the Gallic corpus see especially the edition of E. Galletier, Panegyriques Latins, 3 vols. (Paris, 1949-1955), whose numbering in chronological order I follow throughout.
5. As has been suggested, for example, by R. Pichon, Les derniers écrivains profanes (Paris, 1906) 285 ff. Pichon's is still in many ways the best single treatment of the corpus.
6. For Nazarius, see Ausonius, Professors of Bordeaux 14.9; Galletier 2 147.
7. Pichon 289.
8. For a discussion of the issue raised in this paragraph, see C.E.V. Nixon, "Latin Panegyric in the Tetrarchic and Constantinian Period", in History and Historians in Late Antiquity, edd. B. Croke and A.M. Emmett (Sydney, 1983), 88-99, esp. 91ff.
9. The genitive 'Latini' in the manuscript title would seem to admit of either.
10. Epistles 8.11.1-2, dated 477-478 by A. Loyen in his Budé edition, Sidoine Apollinaire 3 (Paris, 1970) 200 n.40. Galletier 3 48 suggests on the basis of Pacatus' own words at 2.1 (ab ultimo Galliarum recessu etc.) and his association with Ausonius, that he was born at Bordeaux. But the passage in question refers to the starting point of his journey to Rome, not to his birth-place.
11. Galletier, 3 49.
12. Eclogues, Preface 12.
13. After teaching in Bordeaux for thirty years Ausonius was called to the court of Trier, c.365-7, to become tutor to Gratian, and subsequently to enjoy a distinguished career in imperial service; presumably he did not return for any length of time until after his consulship in 379, when he retired to the estate "in Novaro pago" which his father had left him (Domestica 1; Ep. 27.90 ff). And the coup of Maximus found him again - or still? - in Trier in 383 (Ep. 20 - lemma).

14. Galletier 50; MacCormack, op. cit. 174; A. Lippold, Theodosius der Grosse (2nd edit., Munich, 1980) 39.
15. But it is not legitimate to argue, as Galletier does (50), in the context of Pacatus' friendship with Ausonius and Symmachus, that he was chosen, *inter alia*, as a man who was "en relations avec des hommes qui etaient bien en cour" (i.e. the Italian court). First, the letters which Symmachus addresses to Pacatus date to after his appointment as proconsul (8.12, 9.61, 9.64; Alan Cameron has recently questioned whether they are addressed to our Pacatus at all: "Polyonymy in the Late Roman Aristocracy: the Case of Petronius Probus", JRS 75 (1985) 175). Secondly, while Pacatus was presumably on friendly terms with Ausonius earlier than this, one must ask whether Ausonius was "bien en cour" in the late 380s. He was now in retirement in Gaul, and remote from public affairs (above, n.13).
16. C. Th. 9.42.13 (Jan.12, 393). The identification of this Drepanius with the panegyrist has been questioned by Lippold, "Herrscherideal und Traditionsverbundenheit im Panegyricus des Pacatus" Historia 18 (1968) 228, but it has been made all the more plausible by a comparison with other careers influenced by Theodosius' stay in the west; see J. Matthews, "Gallic Supporters of Theodosius", Latomus 30 (1971) 1079 ff.
17. Cf. MacCormack, op.cit. (n.1) 169-172 on Ambrose and Paulinus.
18. op. cit. 139-141.
19. See J. Matthews, Western Aristocrats and Imperial Court AD 364-425 (Oxford, 1975) 161. Only 12 bishops were signatories of the council; the others whose sees can be identified were all from Spain.
20. Cf., too, Galletier, 58 n.4; Matthews, op.cit., 169. For a more general treatment of the Priscillianist movement, see Introduction, Part 4.
21. E. Male, La fin du paganisme en Gaule et les plus anciennes basiliques chretiennes (Paris, 1950) 33-8, in discussing this aspect of Martin's activities, notes that coin series from excavated pagan temples frequently end with issues of Valentinian I (364-375), and in one case, with those of Magnus Maximus. While this period is a turning point, there are of course pagan survivals well beyond this date; for Trier, for example, see E.M. Wightman, Roman Trier and the Treveri (London, 1970) 237ff.
22. Matthews, op.cit. 170; A. Birley, "Magnus Maximus and the Persecution of Heresy", Bulletin of the John Rylands University Library of Manchester, 66.1 (1983) 21-22.
23. Entry: Cons. Const., Chron. Min. 1.245; departure: Marcellinus Comes, ibid. 11.62, confirmed by eight laws in the C. Th.
24. Treatise 2, "On Epideictic Oratory" 368 (trans. Russell and Wilson).





Plan and Summary of Panegyric

Exordium: The speaker protests his inadequacy in the face of such an august audience as Emperor and Senate (1). But he takes heart now that freedom of speech has been restored by such an admirable prince (2).

Propositio et divisio: The inevitability of Theodosius' choice as Emperor (3).

Theodosius' ancestry and character: praise of his native land (Spain), the deeds of his father, and his own beauty of body and soul (4-7).

His early career: his military apprenticeship; his father's execution and his retirement to Spain; his recall and the offer of imperium by Gratian, which he initially refused; his modest behaviour (8-12).

Theodosius' reforms at court, moral and fiscal: a new austerity programme; his admirable appointments (13-17); his benefactions, guaranteed by a prodigious memory; his affability and kindness (18-20).

Theodosius' public virtues - his civilitas (21). His military campaigns in the east (22).

The rebellion of Maximus: its outbreak in Britain; the death of Gratian; the rapacity and cruelty of the tyrant; the deaths of men and women (23-29).

The struggle: Maximus' violation of a treaty and invasion of Italy; the adversaries compared; Theodosius' planning, and incorporation of barbarians into his army; the latter contrasted with the forces of Antony and Cleopatra (30-33). The battle of Siscia on the Save; the defeat of Maximus' brother in a second engagement; the slaughter of the enemy and the pardoning of the survivors; Emona welcomes the victor (34-37).

The flight and death of Maximus: Maximus' flight to Aquileia; Fortune's preservation of Maximus; his public humiliation and confession that he falsely claimed Theodosius' support to attract partisans; his death - a salutary lesson to would-be usurpers; Theodosius' clemency; Rome for the first time benefits from a civil war (38-46).

Peroration: Others will speak of Theodosius' accomplishments in Rome; Pacatus looks forward to his reception in Gaul, for he has wondrous things to tell, the material for poetry and history (47).

PACATUS' PANEGYRIC

1. (1) If ever there was anyone, Emperor Augustus, who was justifiably in fear and trembling when about to speak in your presence, it is assuredly I, and I both feel it myself, and see that this is how I must seem to those who share in your counsel.¹ (2) For while it was always fitting to praise you beyond all previous Emperors, now and for the future it is appropriate that you be acclaimed in speech, beyond the measure of praise accorded you elsewhere, in that city² whose liberty you defended whilst in arms, and whose dignity you increased whilst clad in the toga. How then can I possibly do justice in my speech to the majesty of you both, especially at a time, when both of you in turn have grown so great that you, O Emperor, have never yet been so majestic, nor the city more fortunate? (3) An additional challenge is that my audience is the Senate. Not only is it difficult to satisfy it with regard to you because of the love it has for you, it is even more difficult, because of its inborn and hereditary gift of eloquence, not to induce in it a feeling of distaste for the crude and uncultivated roughness of this, my Transalpine mode of speech - all the more so since it may seem an absurd and perverse arrogance to make a display of rhetoric before these men when they are the very font from which it flows and only a recent side channel has made it available for use amongst us as well.³ (4) With thoughts like these in mind I am so disturbed that I think that not only those whom I am looking at are present today, but I imagine in attendance and appearing before me as I am about to speak Cato himself, and Tully and Hortensius and a host of orators such as these listening to me in the person of their descendants. (5) Thus I am beset by manifold fears and as if it were not enough to be afraid of what I see, I see additional things which I am bound to fear.

2. (1) What then? Does a new terror and unexpected fright seize me in the very moment of speaking? But all these billows on which I am tossed this way and that I had thought about long ago and had seen from afar; but when through admiration of your virtues I had hastened from the furthest recesses of Gaul, where Ocean's shore receives the setting sun and where the land gives out and is united with its companion element, to contemplate and venerate you,⁴ so that I might take in also with my eyes

the marvels of which I had heard, I was afraid, I must confess, to ruin by disrespectful silence the performance of a pious duty. (2) Thus while I pass off my effrontery as deference, while I cannot imagine joy and silence co-existing in the same person, I have united two most disparate things, fear and brashness. And indeed what has impelled me to speak is that no-one was coercing me to do so. For panegyric is not extorted any more, nor do utterances wrung by fear redeem one from the perils of silence. (3) Let it be a thing of the past, now done away with, that dire compulsion of a servile rhetoric, when false flattery gratified a harsh tyrant courting every breath of public approbation by empty popularity, when victims would give thanks, and not to have praised the tyrant was considered an accusation of tyranny. (4) Now there is equal freedom to speak or keep silent and it is as safe to have said nothing about the leader as it is easy to praise him. And so it is a pleasure to experience in speaking a security which has been restored from exile, as it were; it is a pleasure, I say, because no emperor deserves to be praised more than he who does not have to be.⁵

3. (1) Then let the beginning of this speech of mine be that auspicious day of public felicity which first inaugurated your reign.⁶ (2) For just as in the performance of divine rites we direct our faces to that quarter of the sky in which the light first appears,⁷ so in the fulfilment of the vow I once took to deliver an oration, let me regard in my speech that time from which the light began to shine at Rome. (3) The state was lying grievously afflicted, or I should say, rendered lifeless, by innumerable ills, and barbarian peoples had flowed over Roman territory like a kind of flood.⁸ (4) But I shall refrain from going over the causes and irritating a sore that has been assuaged. For not only is the recollection of calamities vivid in itself, but in addition I am afraid of darkening the brightness of this present joy by recalling sad events. (5) I shall therefore do what I have often seen done by doctors eminent in their profession:⁹ I shall touch with a light hand the scars of deep wounds after they have drawn the skin together to heal them. I shall be content to have sought out opinions, enquiring of each and everybody, when it was clear to all that the crisis had to be remedied by putting at the public helm the kind of man who was capable of watching over the youth of one emperor and of assisting the labours of another, whether we could even wish for a leader of this sort.¹⁰

Let us therefore reopen the whole matter anew, and let us imagine that we are enquiring in some kind of world assembly which man it should be who should shoulder such a burden and take charge of the destiny of the Roman state as it faltered. (6) Would not he be chosen by the votes of all men in tribes and centuries,¹¹ whose native land was blessed, whose house illustrious, whose appearance divine, who was in the prime of life, and who was experienced in military and civil affairs?

4. (1) Let me therefore treat everything from the beginning in the order I have proposed: now it will readily be agreed that he who has been declared leader is the one who would have been chosen both by everybody and from everybody. (2) For in the first place his motherland is Spain,¹² a land blessed above all other lands, which that supreme maker of things¹³ was pleased to adorn and enrich more lavishly than the rest of mankind. (3) Neither exposed to the heat of the south nor subject to arctic cold, it enjoys the moderate temperatures of each climate. Enclosed on one side by the mountains of the Pyrenees, on another by the billows of the Ocean, on a third by the shores of the Tyrrhenian sea, it is shut off by the genius of cunning nature like another world. (4) Add the large number of splendid cities; add, too, all the fields, cultivated and fallow, full of crops and herds. Add the wealth of its gold-bearing rivers, its mines of gleaming jewels. I know that in the tales of poets, devised to give delight to the ear, there are marvels attributed to several peoples; conceding that they are true, they each have a single one - but I am not at the moment investigating the truth of them. Let it be the case, as one reads, that Gargara has a bumper wheat harvest, that Mevania is famous for its herds of cattle, that Campania is renowned because of Mt. Gaurus, that Lydia is celebrated for the river Pactolus, provided that whatever is praised everywhere else yields to Spain alone.¹⁴ (5) It is she that spawns the toughest soldiers, the most experienced generals, the most eloquent orators, the most famous poets;¹⁵ she is the mother of judges - and the mother of emperors. She gave the Empire the great Trajan, and then Hadrian; to her the Empire is indebted for you. Let the land of Crete, famous as the cradle of the child Jupiter, and Delos, where the divine twins¹⁶ learnt to crawl, and Thebes, illustrious as the nursemaid of Hercules, yield to this land. We do not know whether to credit the stories

we have heard, but Spain has given us a god whom we can actually see.¹⁷

5. (1) It were time, by way of just compensation, since I have spoken briefly in praise of your native land, for me to linger at rather greater length in praising the virtues at least of your father.¹⁸ But what shall I do? I have exposed myself to a new difficulty, as it were, because of their number. (2) What, I repeat, shall I do? Shall I begin¹⁹ with the events that the Rhine and Waal witnessed? Immediately the Danube, bloody with the slaughter of Sarmatians, confronts me. Shall I recall Batavia⁺ trampled by infantry battles? Then the vision of the Saxon, annihilated in naval warfare, presents itself. Or shall I speak of the Scot, driven back into his own swamps? Then spring to mind all the Alamanni, and the people of both Mauretaniae, forced to retreat into their pathless wilderness. (3) And so, since this host impedes my choice, and since in addition it is better to sum up the exploits of such a great man than to diminish them by enumerating them, let it suffice for me to say that the gods gave us this unique man, in whom flourish simultaneously all the virtues which are praised when found singly in others. (4) Now if that custom had survived into his age, whereby Roman commanders assumed titles such as Macedonicus, Creticus or Numantinus, adopted from the names of the peoples they had subdued, would there not be fewer cognomina to be read today in the historical archives than in the titles in your house?²⁰ For he himself would be called Saxonicus, Sarmaticus and Alamannicus, and the one family would boast as many triumphs as the whole state has enemies.

6. (1) But why is it necessary to direct a meticulous curiosity towards the past? Emperor, let us judge your father by yourself. Nor is the comparison a difficult one. For there are two things which produce outstanding commanders, supreme courage and supreme good luck.²¹ It is easy to know with what good luck he was endowed: he fathered you! (2) O nobility worthy of an emperor, for a prince to be the son of a man who should have been a prince himself,²² and who would have been equal to this very peak of power at Rome not only because of his bravery and wisdom, but also because of the beauty of his body and his dignified bearing - just like this venerable beauty of yours,²³ which is equal to its good fortune, and which, conspicuous far and wide, so graces imperial power that, to put

it plainly, it is a moot point whether it is rather your courage which insinuates itself into our minds, or your countenance into our eyes ! (3) Clearly not without reason is the view of the philosophers who have made subtle enquiries into the significance of natural causes, and nobly applied their attention to the secrets of the heavens, when they opine that the more splendid the external appearance of anything, the more it is believed to derive from heaven. Whether that divine soul, before entering a body, first marks out a home worthy of it, or whether, when it has entered a body, it moulds its habitation according to its image, or whether one develops from the other, and when they have joined together as equals both are made greater, this celestial mystery I forbear from scrutinizing.²⁴ (4) To you alone, emperor, let that secret be disclosed, along with the god who is your consort;²⁵ I shall say what is permitted for a man to have comprehended and uttered: such ought he to be who is adored by the nations, to whom private and public prayers are addressed over the entire world, from whom a man about to make a voyage seeks a calm sea, a man about to travel a safe return, a man about to enter battle a happy omen.²⁶

7. (1) For some time, I see, you have been regarding this glorification with disdain.²⁷ But I have decided to disclose as part of your merits what in the case of others is usually the sole reason for praise. Your virtue earned you the empire, but beauty has added its vote to virtue; the former ensured that it was right for you to be made leader, the latter that it was becoming. (2) Do we think that anything was neglected in your proclamation as emperor, when we see that even the computation of your very years has been taken in account.²⁸ Indeed this matter was of such concern to our ancestors that not only in elections for the highest magistrates, but also in the quest for praetorships and aedileships, the age of the candidates was considered, nor was anyone so influential because of his nobility, his favours or his money that he could anticipate the ages laid down by electoral law and occupy offices prematurely.²⁹ (3) And there was no injustice in that. For even those who in time to come will be embraced by Virtue herself have to watch their balance on the slippery path of adolescence so as not to fall. (4) Did not Self-indulgence claim for a while the most distinguished names amongst the Romans? (I speak of men like Sulla, Catulus and Scipio).³⁰ For even if the breezes changed for the

better and carried them back into the harbour, for a long time, however, they were lashed by a hurricane of vices, and it was with difficulty that age rescued them, ship-wrecked and cast adrift, from those errors by which they were engulfed. (5) And so everything was well shaped, and to the other virtues which combined in you in abundance your years also added their vote, years at which alone man is perfected, for they possess the advantages of both ages, the courage of the young and the maturity of the old.³¹ (6) Perhaps you should have acquired the empire earlier in order that you might rule longer; but it will be seen to, without the danger of setting a precedent, that you will lose nothing. What you have lost from the past must be compensated for by a longer life. It little matters when something which will not have an end began.

8. (1) Up till now, Emperor, I have praised in you what has been bestowed by the Fates; now let us proceed to those things for which you yourself are responsible. For that past military reputation of yours, which you acquired through so many trials and labours, is not to be ascribed to Fortune. (2) One might even be angry with her on this score, namely that she never showed favour to the man whom she had destined for sceptre and throne, but just as stern fathers are stricter with those sons whom they love most, so she harassed you with innumerable wars and the most critical times for the state while she prepared you for imperial power. (3) And before I come to those things which you accomplished at a mature age, let me touch briefly upon that partnership of yours with your divine father in the camps, the winters spent under canvas, the summers sweated through in the midst of battle, days and nights expended in fighting and keeping watch, the fiercest of fights fought on land and sea.³² (4) Africanus did not endure so patiently his first military apprenticeship under his father Paulus, nor did Hannibal as a boy follow the tents in Spain with an equal talent, nor did Alexander - not yet the Great - fill the camps of Philip with a surer hope of future valour.³³ (5) Although antiquity, which exaggerates the truth, has heaped innumerable praises on these men, its flattery extended no further than showing them following the camps of kings or generals at an age when you had accomplished many things so valiantly that not only would Alexander or Africanus or Hannibal have wished to see them while they were learning, but their fathers and mentors would have wished to have been responsible for them while they were teaching.

9. (1) How veiled always the plans of Fortune ! Who, I ask you, would not have then thought that retreat of yours from a military post to private life inimical to the public weal?³⁴ (2) But she, in fashioning a future emperor, wanted him to be a private citizen for a while, in order, since you already had a full mastery of the martial arts, that by taking part in civil life during a period of leisure you should be restored. (3) And I prefer this leisure of yours to the activity of others; for pleasant shores did not hold you, nor retreats arranged according to the change of seasons, but no matter whether you spent your time in the countryside or the towns, you increased equally your prosperity and your reputation. And indeed in the cities you won over men of every age and rank by one kindness or another, and aided the interests of friends absent, and the affairs of friends present, by your constant attentions, advice and means. (4) And then if it pleased you to change the city for the country, how you played the farmer, forgetting city life ! I hear also, emperor, and I believe it, that often you imposed some task upon yourself, and, so as not to succumb to torpor and lassitude, that you always rubbed off the rust of insidious leisure with work of this kind. (5) So the rustic Curii, so the Coruncanii of old, and the Fabricii - names to be revered - when armistices had brought war to a halt, would live among their ploughshares, and, so that their vigour not become feeble through inactivity, these men who had won triumphs would deposit their laurels in the lap of Capitoline Jove and devote themselves to the life of a farmer.³⁵ (6) Hence the stories handed down to us of fascēs given to men as they sowed their seed, of palm-leaf embroidered tunics sent through the countryside with their curule chairs, of farmers who had been consuls, of shepherds with the purple trabea, and of men vested as dictators in the midst of their herds.³⁶ (7) But for them, indeed, it was the modesty of their family means that condemned them to such labour, so that they themselves had to till with plough or mattock suburban gardens, precipitous Janiculum and acres confined by the pomerium, nor was it an indignity that the work should revert to the masters, in the absence of those to whom they might give their orders. Poverty detracts from praise for endurance; a better exemplar is hard work without necessity.

10. (1) Divine beings surely enjoy perpetual motion, and eternity maintains its energy by continuous activity, and whatever we mortals call

work is your nature. Just as a tireless revolution makes the sky go round, just as the seas are stirred up by the waves, and the sun does not know how to keep still, so you, Emperor, are constantly kept engaged in ceaseless activity which recurs as if in a cycle.³⁷ (2) Scarcely had you reached your Spanish dwelling when you were sheltered by tents in Sarmatia; scarcely had you seen a campaign to its end and hung up your weapons when you were re-armed and pressing upon the enemy; scarcely had you seen your Ebro when you were camped on the Danube.³⁸ (3) Not even when you had advanced to a higher post and only had to give the orders and could divide your time between leisure and work and enjoy the reputation you had already won and laid up, did you relax from work because of your honourable position. No, you would be the first, or among the first, to meet all your military obligations – to stand in the front line, to keep watch according to the lot, to hammer in the stakes, to choose in advance a place to give battle, to go out to scout, to measure out the camp, to be first to advance into battle and last to retreat from it, to be a general in counsel and a soldier by example. And so even then one could understand that while others fought for their emperor, you fought for yourself. (4) But the most remarkable thing of all was that while you did everything that merited your appointment as emperor, yet you did nothing to obtain it.

11. (1) A proof of this is that day, the origin of our common good, on which, when called upon to take up the reins of government, you declined the empire offered you. Nor did you do this for the sake of appearances, and merely so that you might seem to bow to compulsion, but you resisted stubbornly and long, and like one determined to have his request granted.³⁹ (2) Indeed you had no motive for feigning; for the emperor did not solicit you alone and in private and as if to test you, but publicly, and in an assembly, and in such a way that he could not then withdraw his offer, so that if you had not been sincere in declining imperial power, you could have expressed a willingness to take it in complete safety.⁴⁰ (3) At this point one must remonstrate with you on behalf of the Republic, which in the midst of its hopes relapsed into the extremities of fear because of your hesitation, and which addressed you in some such words as these, no doubt, although you alone heard them: (4) "Have the Fates kept me waiting too little time up to now, Theodosius, that on top of

this you are trying to prolong the delays they have caused? Do you not know that your property is being consumed with each passing moment? Do you not know that I am dwindling to your cost and that of your descendants? Whatever the Goth reduces, the Hun pillages and the Alan carries off, that one day Arcadius will feel the want of. Unfortunate that I am, I have lost the Pannonias; I grieve the destruction of Illyria; I witness the ruin of the Gauls.⁴¹ (5) The elder of the princes, with so many wars in progress, is not equal to the task. The other, although he may be a most valiant man one day, is, however, still a child.⁴² And yet you hesitate to prop up what has collapsed, and, even if you delay no further, will take a long time to set right? (6) Are these the thanks you give me for longing for you even when I was in a flourishing state, for thinking, when gentle Nerva, Titus, the darling of the human race, and Antoninus, memorable for his piety, were in charge of me, when Augustus was adorning me with walls, Hadrian instructing me in the law, and Trajan extending my frontiers, that my happiness was less than complete because I was not yours?⁴³ (7) What would you do for me if you were your own master? See, my master begs you; see, he who is still your master begs you; he who could compel you prefers to seek your consent. You have no right to refuse the Empire now that it is offered to you by the Emperor, just as you had no right to covet it before."

12. (1) You alone then, Augustus, you alone, I repeat, of all those who have reigned up till now took it upon yourself to be emperor. Some were imposed upon the State by the purchased votes of the legions, others by an empty palace, others by their imperial connections; you, neither bribery, nor chance opportunity, nor family relationship, created Emperor, for you were both from a family unrelated to the Emperor, and were the third to be summoned, and were compelled against your will. (2) Against your will, I say. Hear this, you parricides of your country, who have seized sceptres stained by the slaughter of your masters, and, risking a danger no less than the crime, have bargained for power with your life, and bought the name of sovereign at the price of blood:⁴⁴ the principate suffers a rebuff, and it is the one aim of the candidate not to be elected. (3) Will posterity believe this in time to come, and will it extend to us as much favour and trust as to allow that our generation has finally produced a deed

which over such a great span of time before and since has not found a rival or had a precedent? But he who knows your philosophy and principles of life will believe it without hesitation, nor will he doubt that the command was refused by one who was to rule in such a fashion. (4) Let those eagerly covet dominion who delight in living a life free of the laws, whose cruelty in killing men uncondemned, whose greed in pillaging private property and whose lust in befouling the pure demand the right of impunity. (5) What did it matter to you to become Emperor, who were to be a private citizen in the person of an Emperor, unless, perhaps, your respect for chastity today is not so intense, your dread of human blood diminished, or your appetite for the property of others enlarged?⁴⁵ You are the same man you always were and you only permit yourself what the laws allowed. You have made trial of supreme power to have the opportunity and means to assist people, not to have the security to commit crimes. (6) The one thing that the principate has furnished you is that we all know for certain that even under other emperors you lived in accordance with your laws. For he who commits no act of licentiousness when he can has never wanted to do so.

13. (1) Indeed when you first took command of the state, you were not content that you yourself were far removed from vice: in addition you took pains to correct the vices of others, and that moderately, so that you might seem to be encouraging rather than compelling honourable behaviour.⁴⁶ (2) And because either through long experience of the East or through the laxity of many of your imperial predecessors some men were so given up to extravagant living that it seemed by no means an easy task to restrain their inveterate practice of self-indulgence by any remedy, you wished the moral reform to begin with yourself, lest anyone consider that he was suffering an injustice; and by reducing palace expenditures, not only by doing away with superfluous expenses, but also by subjecting necessities to a strict budget, you corrected men with their consent, which is in the nature of things a very difficult task. (3) For who could take it ill that he was being confined to the limits of a prince, or be grieved that something was being subtracted from his private luxury, when he saw his emperor, ruler of the world, master of lands and men, living frugally and contentedly, relieving long fasts with the simple meals of a soldier, (4) or, in addition to this, the whole court, sterner than the Spartan

gymnasia, abounding in examples of toil, endurance and frugality; or that not one man could be found to dare to demand at the palace-table fish from remote shores, fowl from foreign climes, a flower that was out of season?

14. (1) For those foppish and effeminate fellows such as the State has often put up with, did not consider themselves a la mode unless their extravagance had turned the year topsy turvy, and roses floated in their bowls in winter, and their Falernian melted the ice in their capacious crystal goblets in summer. (2) Our world was too small for the gullets of men such as these; for they judged a feast set before them not by its taste but by its cost, and were satisfied only by those foods which the farthest Orient had sent, or Colchis, situated beyond the Roman Empire, or seas notorious for shipwrecks, which men had seized at their peril against the resistance of a somehow unwilling Nature. (3) And not to mention the fowlers frequently conscripted in shameful levies in the provinces, and squads of hunters enrolled in the ranks, and then sent soldiering for banquets, have we not learned of a certain prince in days gone by who paid 100 million sesterces not for a meal, but often for a single course, and thus squandered the value of equestrian patrimonies?⁴⁷ (4) Your feasts, Emperor, more frugal than common tables, consist of fruits that are local and in season. Hence everyone is thoroughly ashamed of luxury, and has come to cultivate thrift; and with the threats of the laws lying dormant, repentance of his ways steals into each man privately. That is the way of the world, that is the way it is: men are irritated when commanded to reform; the most persuasive form of direction is by example.

15. (1) But while certainly these and other reforms of a similar kind have moulded men's manners and conduct, nothing, I feel, has been more instrumental in the dispelling of vices and the adoption of virtue than the fact that you have always devoted yourself to the kind of men whom the people ought to aspire to imitate; just as they were obedient and tractable pupils of yours, so they were excellent masters for the rest of mankind. (2) Not to mention those whom that first day of inchoate rule offered you, endowed with such outstanding abilities that they did not seem to be taken on for the sake of numbers, but rather to be the pick of the supply, what men, and of what quality, were those whom you chose

afterwards, to whom you entrusted the guardianship of provinces, the key commands in the army, the secrets of your counsels!⁴⁸ (3) And so, since there was this double selection, one chosen by your judgment and the other by chance, it is uncertain whether your wisdom or your good fortune provided you with better men, since such were the qualities of the men whom you inherited or discovered that the one group deserved to be retained and the other deserved to be coopted.

16. (1) Has any emperor ever thought that the cultivation of friendship should be counted amongst the imperial virtues? This was a humble virtue - indeed it is doubtful whether it was adjudged a virtue - and it was held to be worthy, not of a palace, but of a cottage. Hence you would more readily find an emperor who would fetch money from his treasury than loyalty from the heart. That "Best" of princes would give you a fortune, but he would not give you his esteem as well; he knew how to further your prospects; he did not know how to love.⁴⁹ (2) Friendship, a term once used of private citizens, you not only summoned to the Palace, but clothed in purple, wreathed in gold and gems and installed on the throne.⁵⁰ By your deeds, and not merely by words, you have affirmed that the feelings of a prince ought to be all the more benevolent toward his subjects the greater his fortune is, for you act with equal loyalty and generosity, and as emperor you extend to your friends what you had wished for them when a private citizen. (3) But what prayers could obtain for them what most of them have received from you as emperor? Nor am I now speaking of those offices which an emperor is compelled to confer upon some person or another. Someone is elevated to a generalship; military discipline demands it. Another is promoted prefect: a head must be imposed on the provinces. A consul is created: the year has to have a name. So in the case of those supreme and very grand benefactions there is some advantage to the bestower.⁵¹ (4) But with a novel kind of benevolence you distributed to your friends honours which were intended to be exclusive to them, so that no benefit might accrue to you from them unless it be the pleasure of giving. Although you had sons at home, those twin hopes and jewels of the State, you deferred their magistracies, and the consulship adorned your friends.⁵² If, by Hercules, that divine man and architect of public felicity, your father, were alive, what other

consideration would he have expected from his son than being preferred to his grandsons? You therefore have so treated your friends that you could not do more for your father. O what a singularly clever scheme, this benefaction of yours ! You enhance by timing a dignity the grandeur of which there was no possibility of increasing. Your friends are proclaimed consuls before your sons, because they could not be more than consuls.

17. (1) Away with you, now, vaunting Antiquity, and tout your exemplars celebrated in innumerable works of literature. Go cry up the loyalty of Pirithous and the devotion of the young man from Phocis which is sung to death on every stage. Sing, too, of Pinthias, if you like, and Damon, one of whom offered himself as a surety for his friend who was to die, while the other hastened to meet his appointment with death.⁵³ (2) If we believe these stories to be true, which have been dressed up by the lies of the poets to earn the applause of the theatre, and owe their credibility to the passage of time, can our belief be stretched further than to suppose that these men, who are esteemed by praise of their friendship, were more devoted to their friends than to themselves? But since, guided by Nature, we almost always love our sons more than ourselves, he surpasses every exemplar who has preferred his friends to those whom he preferred to himself. (3) But, indeed, to salvage the self-respect of those in debt to you, you do not wish what you confer on your friends to seem like a gift, but rather their due return. (4) Let us gratify you, and, judging the sum of your benefaction in accordance with your wishes, let us regard whatever you mete out to your friends, not as expenditure, but as repayment. Indeed, since you enrich men you know only slightly, or even men whom you have seen but once,⁵⁴ with honours with which even friends could be content, do you not wish to demonstrate to everyone that whoever is a good man is a friend of yours? (5) To whomsoever any public office has been entrusted, recompense is pledged and duly paid. Let virtue, lying neglected, attribute its insignificance and obscurity to itself, if it has not offered itself up for approval. He who has been approved is honoured, and that is enough for your conscience.

18. (1) I would like you to explain, however, since you carry out your promises to so many people, how you know what you have promised to

whom, and how you are confounded neither by cares of state nor by the very host of your benefactions into disappointing anyone by their being less generous in their measure or too tardy in their timing. (2) What debtor is so scrupulous about repaying his loan on the agreed day as you are about paying what you have promised? Nor should you think that you are imposing on those who take no notice. Each day we enquire about your benefactions and combine our memories, and lest forgetfulness ensnare individuals, each of us compares notes with one another. (3) We cannot find one man whose hope and expectation you have — I shall not say cheated, but, what is a more polite complaint — deferred. Do you think, Emperor, that I admire solely your benevolence? No, I also admire your memory. What Hortensius or Lucullus or Caesar ever had such a ready memory as your sacred mind, which recalls for you all that you have committed to it wherever and whenever you bid it?⁵⁵ (4) Do you, yourself, do the reminding, or just as the fates are said to sit with their writing tablets near that god who shares in your majesty, are you served by some force which writes down and recalls for you what you have said?⁵⁶ No promise leaves your lips without your immediately backing it up with a pledge and then confirming your words by deeds. No-one, but no-one, believes that the favours which you have bestowed upon him should be reckoned from the time when you give them, because your pledges are so trustworthy that no sooner are they promised than they seem to have been fulfilled.

19. (1) Now as to the fact that you make a promise in advance of a benefaction, does this not proceed from the utmost candour of the purest of minds? For what kind of spirit is it that neither makes men weary from praying nor is in the habit of causing difficulties in its gift-giving, but announces what is to be provided, so that appreciation of the favour may be prolonged and sudden good fortune not dumbfound people and make them resemble ingrates? For our minds are incapable of dealing with sudden emotions, and we are driven out of our wits as much by joy, as by grief, if it comes unexpectedly. (2) Did not that Roman mother, renowned for her maternal feelings, and terrified by the news of the disaster at Cannae, drop dead when the son she was mourning returned, being unable to bear her joy although she had survived the bereavement?⁵⁷ And so, being aware of the mysteries of heaven and the secrets of nature,⁵⁸ you prefer that expected

favours come to men rather than have unexpected ones surprise them. (3) Not without reason, for pleasure at sudden successes is fleeting, and no sooner grips a man than it is gone; more lasting happiness comes from waiting for something with confidence. And so, since up to now it has been decreed by Nature that men remain unaware of their good fortune in advance, and first begin to rejoice in their happiness only when they actually begin to be happy, you, by promising what is going to be bestowed, have discovered time which Nature had deprived us of, so that those who previously took pleasure merely in the acquisition itself are now delighted in addition by the prospect of it.

20. (1) Since with equal kindness you wished to confer honours on more people than the number of places allowed, and since your means were more limited than your desires, and your power, however extensive, could not match your intentions, you consoled with your esteem whomever you had not yet promoted to some rank or other (and perhaps some have been satisfied with that consolation). (2) One man was honoured by an address; another was gratified by a dinner invitation; a third was exalted by a kiss. And so all who in your principate have justly had confidence in themselves have either advanced in rank or found compensation in your kindly regard, a kindliness, I might say, that is as remarkable in an emperor as it is rare. (3) For since arrogance is the inseparable attendant of the successful you will scarcely find anyone at the pinnacle of fortune who is lacking in haughtiness. Our ancestors, indeed, had such an aversion to this trait that they always regarded it with greater contempt than slavery, and such was their intolerance of it that after the warrior Tullus, the religious Numa and Romulus the founder they were driven to hate monarchy to the point of hating its very name. (4) Finally they damned the notorious Tarquin, in an ultimate curse, with this malediction, and a man unbridled in his lust, blinded by greed, a monster of cruelty and insane in his ferocity, they called "the Arrogant", and considered that reproach sufficient.⁵⁹ (5) But if Nature permitted that champion of Roman liberty, Brutus, hater of the name of king, to be restored briefly to life, and to observe your age, imbued and overflowing with enthusiasm for virtue, thrift and humanity, with no trace anywhere in the world of arrogance, lust or cruelty, and to see you yourself, now, living both in public and in private with the austerity

of leaders of old, the chastity of pontiffs, the moderation of consuls and the affability of candidates for office,⁶⁰ (6) he would surely change his mind after so long a time, and, when he found that Roman dignity and liberty were in a better condition with you as emperor than they were in his consulship, he would of necessity confess that it was Tarquin who should have been removed, and not the monarchy.⁶¹

21. (1) But just as we are accustomed to do when we have entered large cities — first visit the sacred shrines and sanctuaries dedicated to the supreme deity,⁶² then admire the fora, the gymnasias and the promenades which extend in front of their porticos — so in singing your praises, after honouring the sacred rites of your palace and the institutions worthy of comparison with the ceremonies of old, we move to those things which are conducted in the open and available for public use, and are of advantage to the whole community and not just a group, and are not limited by walls but by the world itself, not covered by a roof, but by the sky. (2) And the first of these (not to deal immediately with the most important), is that you frequently emerge and you show yourself to the waiting people, and being willing not only to let yourself be seen, but to be approached readily, you listen to the entreaties of your subjects at close quarters, so that no matter who consults you, even if he should have earned a refusal (which is rare), he goes away with the consciousness of having seen the divinity.⁶³ (3) But how different the custom of other emperors (you know of whom I speak) who considered their royal majesty diminished and cheapened unless they were shut up within some remote part of the palace, as if in some sanctuary of Vesta, to be consulted with reverence and in secret, and unless a carefully arranged solitude and widely imposed silence protected them like a rampart as they lay buried in the shade of their abode.⁶⁴ (4) And on the occasions when they ventured into the light and could bear to face the day, they were carried in sedan chairs and carriages⁶⁵ and, covered on all sides and overhead by a very dense screen of men and weapons, they were moved along slowly and at a measured tread. At such times the people were driven far away, and the busy hand of the lictor repelled the plebs with a lash, so that they were isolated even in public. (5) But our emperor offers himself to the gaze of all, and one can see him as often as one can the daylight and sun. Furthermore, although

when things are permitted one, disdain is never far away, admiring eyes never have their fill of him. People seek to see him more and more, and – a novel thing to relate – he is longed for even when he is present.

22. (1) Should we wonder at your being viewed in your cities and by your peoples, you whom almost every foreign country has seen on its soil, and that so frequently that your countenance is almost as well known to the barbarians as it is to us.⁶⁶ Nor in vain, since in spending all your summers abroad and your winters at home, you have divided the year into equal sections between your citizens and your enemies, and if perchance there are any barbarians who have not yet experienced the thunderbolt of your valour, they keep quiet, struck by the terror of your name, as if blasted. (2) For your leadership, Emperor, has made tremble not only those nations which are divided from our world by belts of forest or rivers or mountains, but those which Nature has marked off, rendered inaccessible by perpetual heat, or set apart by interminable winter, or detached by intervening seas. The Ocean does not make the Indian secure, nor the cold the man from Bosphorus, nor the equatorial sun the Arab. Your power penetrates places which the Roman name had scarcely reached before. (3) Shall I speak of the Goths admitted into service to supply soldiers for your camps, and farmers for our lands?⁶⁷ Shall I speak of the punishment exacted from the rebellious Saracens for the dishonouring of a treaty?⁶⁸ Shall I speak of the Tanais being interdicted to the Scythians, and the unwarlike bows of the fleeing Albanian as well?⁶⁹ (4) Whatever barbarian nation was ever a menace to us⁷⁰ because of its strength, ferocity or numbers either thinks it a good idea not to disturb the peace, or else if it is subservient, rejoices as if it were well disposed to us. Persia herself, once a rival to our state and notorious for the deaths of so many Roman leaders, makes amends by her obedience for whatever atrocities she has perpetrated upon our princes.⁷¹ (5) Finally her King himself, who once disdained to concede he was a man, now confesses his fear and worships you in those very temples in which he is worshipped.⁷² Then by sending an embassy, and offering gems and silks, and in addition by supplying triumphal animals for your chariots, although in name he is still your ally, in his veneration of you he is a tributary.⁷³

23. (1) Do not think, however, that everything I am about to say will be music to your ears, O Emperor: we Gauls - you may well be astonished - are angry at your triumphs.⁷⁴ While you went off conquering to distant lands, while you extended the realms of the East beyond the limits of things and the boundaries of Nature, while you hastened towards those neighbours of the dawn⁷⁵ and the very resting place of the sun, if there is one, a tyrant discovered a hiding place for his crimes.⁷⁶ (2) O what great evils come from small beginnings! Thus a troop of gladiators, breaking out of the school of Cn. Lentulus, dashed forth and very nearly wrought the final destruction of the Italian race; thus a Cilician pirate stirred up wars fought by our consuls which hung long in the balance; thus when runaway slaves took up arms Roman javelins gave way for a long time to swords forged in the prisons.⁷⁷ (3) Who did not laugh at the first report of this recent crime? For the affair seemed scarcely worth getting angry about when a few men - and islanders - were trying to kindle a fire against a whole continent, and, themselves exiled from the world, were cloaking their own exile in imperial garb.⁷⁸ (4) But to what great chaos was Fortune giving birth! How great an evil did she lay up for the state in the growth of this pestilence, how much glory did she reserve for you in its extinction, especially when everything that had been armed for the protection of the state was turned against it by the treachery of its generals and the defection of its legions!⁷⁹

24. (1) Yet I am unwilling to aggravate in any way the deeds or the fate of the miserable people who, while putting a misguided trust in this purple-clad butcher who was boasting both of his kinship with you, and of your good-will, committed the gravest crime of all in a spirit of innocence.⁸⁰ (2) I am aware how difficult and rocky the ground I have reached. For your ears recoil from the recapitulation of that five year period of public mourning, but they seek praises, and it is important to your glory to recount past ills for the commendation of our present good fortune. On the other hand your clemency prefers to see the sum of your beneficial services diminished rather than have them exalted by a catalogue of our misfortunes. So it is inevitable, whether I am silent about the troubles of the state or speak about them, that I seem unappreciative of your valour or that I cause an affront to your feelings of delicacy.⁸¹ (3)

But yet, Emperor, impose a little patience on your feelings. For if it be sweet to recall troubles in times that are good, if sailors take pleasure in the remembrance of storms, and doctors in that of diseases, why should you too not listen to our misfortunes in order to recognise your benefactions? Where then should I begin, unless with your misfortunes, my Gaul? (4) Of all the countries which that scourge had oppressed, you are claiming for yourself, and not without justice, a peculiar monopoly of miseries, since you were compelled to endure, not only through oral report, the impact of which is less great, but in your presence and with your very eyes, the victory of Maximus and the death of Gratian.⁸² (5) It must be confessed, though, that Italy, next to us, and neighbouring Spain, have deep wounds to show; but in the depth of their grief both have their consolation. Spain did not see the tyranny, and Italy saw the tyrant slain.⁸³ (6) We were the first to sustain the attack of the raging beast; we sated his savagery with the blood of innocents, his cupidity with the impoverishment of the community. Amongst us was practised a cruelty which was now without fear and an avarice still unfulfilled.⁸⁴ Elsewhere the public curse either had its start, or came to an end; on Gaul it was an incubus.⁸⁵

25. (1) Who could compare himself to us for disaster? We suffered the tyrant both with others - and alone. Why should I recall towns emptied of their citizens, the wilderness filled with noble fugitives? Why mention the public auctions of the property of men who had performed the highest offices, the deprivation of their civic rights, the prices put upon their heads? (2) We have seen offices reduced in number, ex-consuls stripped of their ceremonial robes, old men survive their fortunes, and children, playing without a care - a sight that would make you weep - at the feet of the purchaser.⁸⁶ Meanwhile we wretches were forbidden to display our wretchedness, indeed we were compelled to feign happiness, and after we had entrusted our furtive grief to our wives and children alone, at home and in secret, we would appear in public with a countenance that gave no clue to our misfortune. (3) You would hear an informer exclaim: "Why does that fellow go about looking so sad? Could it be because he was once a rich man, and is now a pauper? Shouldn't he congratulate himself on being alive? Why does this man pollute the public domain by appearing in mourning apparel? He grieves, I believe, for his brother. But he has a

son." Thus it was not permitted to weep over one's losses for fear for those who remained. (4) And so although our spirits were gloomy we put on an untroubled countenance, and, just as those who have drunk the juice of Sardinian herbs are said to die with a smile on their face, we feigned happiness in our sadness.⁸⁷ (5) It is some amelioration of one's calamities to give way to tears over one's misfortunes and to ease the pangs in one's heart with sighs; there is no greater punishment than to be miserable and not to seem so. (6) And, amidst all this, there was no hope of satisfying the robber. For contrary to Nature's way, no satiety followed his plenty. Day by day his hunger for possessions grew, and what he had already acquired provoked his madness for acquisition. As drinking kindles thirst in the sick, as fire is not quenched, but rather augmented, by dry material, so wealth accumulated by the impoverishment of the public sharpened the greed of a hungry soul.

26. (1) For, clad in purple, he would stand at the scales and with pale but avid gaze he would study the movement of the weights and the oscillations of the balance. And all the while loot from the provinces, spoils from those in exile and the property of the slain were being collected. (2) Here was weighed gold snatched from the hands of matrons, there amulets wrested from the necks of orphans, and yonder silver covered with its owners' blood. On all sides money was being counted, chests filled, bronze heaped up, vessels shattered, so that to any observer it would seem to be, not the abode of an emperor, but a robber's den. (3) But yet a robber makes use of his plunder, and at least gives to himself what he has seized from others. He does not plant himself on highways and lurk in swamps in order to amass and bury treasure and to be miserable in his crime, but in order to pander to his gullet and his belly, and not to lack funds for his expenditures; for he spends lavishly and without a care: with the same facility he acquires things and dissipates them. (4) But that pirate of ours would heap together whatever he swept in from anywhere, destined to be lost both to us and to himself in that Charybdis of his cave. Do I say Charybdis? When she had swallowed ships with their cargoes, yet she is said to have spewed out the shipwrecks and craft twisted in the depths and to have cast them up on the shores of Tauromenium. (5) Our property kept travelling to his treasury by a single and continuous route; none of its

remnants, no fragments, not even anything rejected finally out of distaste, did that engulfer of the common wealth vomit up again.⁸⁸

27. (1) It is the last defence of wicked rulers to take away things to present them to others and to avert the odium of their brigandage by the magnitude of their gifts. But - the devil ! - what rationale is there for taking from everybody what no one is going to have? (2) Indeed, in the case of avarice in private individuals, although it is a bad thing, however there is some defence: for one fears poverty, and puts something aside for old age, and looks to the prospects of one's heir. But what excuse for cupidity is there for one who has as much as exists everywhere? (3) On the contrary, if it be right and proper for mortals to judge heavenly matters, I should have thought there were no greater happiness for a ruler than to make a man happy, to relieve his poverty, to vanquish Fortune and to give a man a new destiny. (4) And so an emperor making a just appreciation of his majesty ought to consider as his own not so much what he takes as what he gives. (5) For since everything flows back to him, and, as that Ocean which encircles everything receives back from the land the waters which it heaps upon the land, so whatever flows out to the citizens from their prince comes back to the prince, and an emperor who is munificent serves well both his interests and his good name; for he enriches his reputation when he gives money which will return to him.

28. (1) To Maximus, however, all methods of earning praise seemed foolish. In defiance of the model of virtue which is implanted even in the worst of men, he defined his supreme happiness in terms of acquiring things and doing harm, and not only sought to have as much as possible, but laboured to ensure that nothing was left for anyone else. For he did not, as is customary with kings, watch over the workings of the mines in order to fetch out for his use the hidden bounties of Nature and acquire a fortune which harmed nobody and left none the poorer. (2) He did not consider at all precious the gold which the Bessian prospector or Gallaecian searcher plucked from mountain veins or river gravels;⁸⁹ he thought purer and more splendid that gold which grieving men had given, which had been bathed not by river waters but by the tears of men, which had not been extracted from underground tunnels, but torn from the necks and throats of the slain. (3)

And so, since both the pen and the sword of the pitiless tyrant were feared, our prayers were now for poverty, and, in order to escape the executioner, we wished to submit to the buyer at auction. (4) But if he should seem to anyone to have been less cruel in this respect in comparison with the rest of his crimes, let that man recall your death, your death, Vallio, celebrator of a triumph,⁹⁰ and yours, Merobaudes, wearer of the trabea.⁹¹ The one, after holding the highest magistracies and wearing consular purples, and uniting within the one household a kind of senate of honours, was obliged to take his own life; the other had his neck broken in his own home at the hands of British thugs, and was branded with the infamy of a womanly death, in order, of course, that a man who had a passion for weapons should appear to have preferred to perish by the noose than by the sword. (5) But it could be thought, perhaps, that the tyrant had special cause for hatred against them; for each had stood in Gratian's battle-line, and Gratian had loved each of them. What does one say of those who, strangers to high office and to princes, and prominent only among their own people, shed their noble blood beneath the executioner?⁹²

29. (1) Do I speak of the deaths of men, when I recall that he descended to spilling the blood of women, and raged in peace-time against a sex which is spared by war? (2) But of course serious and odious offences were responsible for the wife of a famous poet being dragged off to punishment with a hook;⁹³ for excessive piety and too assiduous worship of divinity was alleged and indeed proved against the widow. (3) What greater charge than this could an accuser who was a priest level at her?⁹⁴ For there was, it must be said, a race of informers who were priests in name, but in reality thugs and butchers, who were not content to have wrested from poor unfortunates their inherited patrimonies, but would bring false accusations against their blood and threaten the very lives of defendants whom they had already made paupers. Yet, further, after assisting in these capital cases, and eagerly drinking in with ears and eyes the groans and torments of the unhappy victims,⁹⁵ after handling the axes of the lictors and the chains of the condemned, they would take back to their sacred rites hands sullied by contact with punishment, and the ceremonials which they had defiled with their minds they even polluted with their bodies.⁹⁶ (4) These were the types that this Phalaris numbered amongst his friends, the

apples of his eye, indeed his bosom companions. And this was only right, for it was they who provided the answers to so many of his prayers at the same time: the possessions of the wealthy to cater to his greed,⁹⁷ the punishment of the innocent to satisfy his cruelty, the damage to religion to appeal to his impiety.⁹⁸

30. (1) At last God cast his gaze upon us again, and while watching over the welfare of the East he looked back upon our misfortunes and instilled such madness into that accursed head that it did not shrink from breaking a treaty, violating fetial law, and declaring war.⁹⁹ (2) Or am I to think that it was brought about without divine sanction that the man who could have amused himself under a nominal peace and have been spared punishment for his first crime by remaining quiet¹⁰⁰ raised the standard for the second and third time of brigandage in the public realm, crossed the Cottian Alps,¹⁰¹ then broke through the barrier of the Julian Alps as well, and imposed upon you, O Emperor, who even yet kept open for him a guarantee of pardon, the obligation of conquering him?¹⁰² (3) The State, I believe, that was to be rescued by an avenger who was already very near, drove him headlong, and its dead lord, victim of flagrant assassination, sought the punishment which he owed. This was not self-confidence, but lunacy, not rashness, but necessity. He did not provoke you into war of his own accord, but could no longer withhold himself from punishment. (4) Otherwise, how could he have conceived such great daring that he ventured to rush against the steel and confront death, a man so cowardly and afraid of death that subsequently, even when defeated, he was unable to take his own life? (5) And indeed, august Emperor, for you to rescue the state and carry off the victory it would have sufficed for you alone to have come into battle; for if once upon a time masters, about to fight their rebellious slaves, carried whips into the field, and such a fit of conscience struck the latter that, though armed, they turned from unarmed men, and after having offered their breasts to death now presented their backs to the lash,¹⁰³ would you not also have put an end to this whole affair without having to call upon your legions, simply by making an appearance?

31. (1) Or would he have been able to withstand you in person, and face your gaze alone, that fellow who was once the most delinquent little slave¹⁰⁴ in your household and a waiter stationed at the lowly tables of the slaves? Would not a reflection upon his past and yours immediately have swept over him? Would he not have reproached himself with the fact that you were the son of a triumphant general, while he was not sure who his father was,¹⁰⁵ you the heir of the noblest of families, he a client; that you were the commander of the Roman army all this time, the champion of liberty, while he was banished from the world, a fugitive from his homeland? (2) And furthermore that you were chosen prince in the bosom of the state, by the vote of all the soldiers, with the consent of the provinces, finally by the canvassing of the emperor himself, that he had aspired to that theft of the name of tyrant in a remote corner of the world, without the knowledge of the legions, against the wishes of the provinces, and finally with no auspices? (3) In conclusion, on your side there was loyalty, on his, treachery; you had right on your side; he, wrong; you had justice, he injustice; you had clemency, modesty, religious scruple, he impiety, lust, cruelty and a whole company of the worst crimes and vices.¹⁰⁶ (4) Let us examine the events themselves, and, employing the surest kind of conjecture, let us infer from what happened what had to happen. Can there be any doubt, in the end, what he would have done in the presence of one whom he did not see and yet fled?

32. (1) And so, Emperor, although you had the advantage of such an enemy and were coming not so much to join battle as to exact punishment from that impious head, yet you carried out the war with such careful planning and so many calculations that you seemed to be preparing to fight it out with some Perseus or Pyrrhus, even with Hannibal himself.¹⁰⁷ (2) For first, with pledges given and received, you made sure of the loyalty of the kings whose domains encircle the Eastern frontier, so that you might act abroad with freedom of mind by removing all anxiety and cause for suspicion at home.¹⁰⁸ (3) Then you divided your forces into three,¹⁰⁹ so that you might upset the confidence of the enemy by multiplying his terror, and cut off his retreat by surrounding him. Finally you granted the privileged status of fellow-soldiers to the barbarian peoples who promised to give you voluntary service, both to remove from the

frontier troops of dubious loyalty, and to add reinforcements to your army. Attracted by your kindness, all the Scythian nations flocked to you in such great numbers that you seemed to have imposed a levy upon barbarians from which you exempted your subjects. O event worthy of memory!¹¹⁰ (4) There marched under Roman leaders¹¹¹ and banners the onetime enemies of Rome, and they followed standards which they had once opposed, and filled with soldiers the cities of Pannonia which they had not long ago emptied by hostile plundering.¹¹² The Goth, the Hun and the Alan responded to their names, and stood watch in their turn, and were afraid of being marked down as absent without leave. (5) There was no disorder, no confusion and no looting, as is usual among the barbarian. On the contrary, if at any time the supplying of provisions was rather difficult, they endured the shortage with patience, and they made their rations, which were reduced because of their number, last longer by using them frugally.¹¹³ They demanded as their sole reward and salary this one thing, that they should be spoken of as yours. How great is the aspiration for virtue! You received a benefit which you could impute as one you had conferred!

33. (1) People in the old days thought it memorable that once, at the battle of Actium, Egypt mingled its foreign arms with Roman generals and Rome's civil wars, and the affair was believed to be so novel that, unless it had been frequently made the subject of literature, belief in the fact would seem to have laboured under difficulties amongst posterity. (2) For what writer of history or poetry failed to mention your fleets, Cleopatra, and your ships decorated with ivory and purple sails with their gilded ropes? No, history has so frequently re-echoed them that it seems as though they have been more often described by the same writers than omitted by anyone. (3) I shall not compare the leaders - for not to mention the defeated Antony, the victorious Augustus did not equal our prince. What similarity shall we discover in other respects, at least, especially if we compare the aspect of the deeds and the times from both sides and consider with the mind's eye this people and that? (4) Those people were conveyed, as they sailed, by a fleet consigned to the winds; these made their long journey under the burden of arms. Those were inveigled by a queen sighing with a foreign passion; these were driven by love of praise

and a concern to share in your glory. Those were sent forth by enervating Pharos and effeminate Canopus, and the Nile, nursemaid of fickle peoples; these menacing Caucasus, icy Taurus and the Danube, which hardens mighty bodies, had poured forth. Those clad in fine, diaphanous robes, and scarcely tolerating light linen garb to ward off the sun, advanced to the jangling rhythm of the sistrum; these, burdened by their breastplates and sheathed in iron, were roused by the staccato blare of the trumpets and the blast of huge bugles. (5) Finally, what comparison could be made between peoples, even if their causes had not been so different that the one sought to capture the Roman Empire, the other tried to reclaim its liberty? And so it seemed the more unworthy to you, O Emperor, that anyone could be found to be a partner in a sin of which the barbarian would act as avenger.¹¹⁴

34. (1) But those men who drenched the opening campaigns of the war with their nefarious blood, were equally an example of guilt and punishment. You are witness, Siscia, and you are witness, Save, of that finest of conflicts, if that can be called a conflict in which troops full of courage made such an assault upon the traitors to the state that neither the number of their adversaries nor the depth of that great river checked them, out of breath and covered in dust as they were from their long journey.¹¹⁵ Spurring on their horses, they swam across the river, leapt up the bank and finally caught up with the enemy, who were ready and waiting for them. (2) My description is longer than the engagement. The invincible band had scarcely crossed the river when it was master of the battle field. It had no sooner encountered the enemy than it was pressing them hard; no sooner had it set eyes on their breasts than it was hacking their backs. The rebellious army was consigned to a well deserved fate; the impious squadrons writhed in their own blood; a single massacre covered entire fields, and everything far and wide was buried under an unbroken carpet of bodies. (3) Now those who had hastened to the walls to postpone death either filled up the ditches with their bodies, or impaled themselves on the stakes that were in their path, or clogged by their death the gates which had been opened for their sortie. But those whose flight was blocked by the river with its impassable banks gathered together in their fear, embraced one another, and formed a dense mass all along the heights. (4) The river

was discoloured by a bloody foam, and it flowed with a slower current, scarcely able to make its way through the corpses. Furthermore, in order to credit itself with a special military service on your behalf, it swallowed up in its whirlpools the very standard bearer of that impious faction,¹¹⁶ and so that there might be no burial for the death, it hid the body. Surely we must believe that it promoted your retribution in two ways, both by assisting in your victory and preempting your clemency!

35. (1) Here is a second battle for you, and a second victory!¹¹⁷ Marcellinus, that Megaera of civil war, rushed his chosen cohorts, indeed the very mainstay of that nefarious faction, into battle. His audacity exceeded that of the rest of the satellites in proportion to the conspicuousness of the energies he, the brother of the tyrant, devoted to the tyrant.¹¹⁸ (2) Your army, indeed, was especially pleased at this, since it saw itself provoked to battle spontaneously, for it had feared nothing more than to be feared,¹¹⁹ to such an extent that when camp had been pitched next to camp, and it could not engage battle because day was done, it lay awake all night in hopes of a victory that would come with the morning light, and cursed the sun as a sluggard, daylight as a deserter, and the summer night for being as long as a year. (3) Behold, dawn at last, and already the plain was bristling with troops: cavalry sent out to the wings, light troops placed in front of the standards, cohorts arranged by maniples, legions deployed in squares, moving their columns forward at a quick pace, occupied the whole field as far as the eye could see.¹²⁰ (4) Not yet was courage put to the test; discipline was already winning. But after each battle-line moved forward to within throwing range, and clouds of javelins and arrows had been launched this way and that, the matter came to sword-fighting, and the soldiers, mindful of their ancient valour, their Roman name, and last but not least their emperors, supported the cause of the state by engaging hand-to-hand. The enemy, reflecting that they had sold their services for money and torn Italy apart, and that their last hope lay in the sword, fought with the desperation of gladiators; they did not yield an inch, but stood in their tracks - or fell.

36. (1) But when their battle-line was driven back, and their front breached, and their trust transferred to their feet, they ran headlong,

or fled en masse, and slowed each other down in their haste. Armed men and disarmed, unharmed and wounded, those in the first rank and those in the last, were all mingled together. Our soldiers bore down on them from a distance, and fought them hand-to-hand, with swords and spears, cut and thrust. Some aimed for the hamstrings, others struck in the back, or transfixed with their javelins those whom they could not catch on foot. (2) Arms and weapons, horses and men, living and dead, corpses prone and supine, lay scattered everywhere, or in heaps. There men with limbs mutilated or hacked off fled with what remained of themselves; here men succumbed to the pain of their wounds; others put off their deaths until they reached woods or streams, and there poured out their last breath in admiration of your name and denunciation of their own leader. There would have been no end to the slaughter and pursuit had death not at last stolen the enemy away from the victors, and night the day. (3) But how much better a decision did that troop of men make who lowered their standards in entreaty and sought pardon for a crime of necessity, kissing the ground and throwing their bodies and their arms under your feet as objects to be trampled! You did not spurn them arrogantly as vanquished men, nor angrily, as offenders, nor carelessly, as if they were of little use, but treating them with kindness and generosity you bade them become Romans.¹²¹ (4) The two armies were united as allies, and separate limbs of the state coalesced under one head. Both armies were animated with an equal joy: the one took pleasure in its performance, the other in its pardon, both in the victory.

37. (1) Nor was loyal Emona slow to rush forth when your approach was announced: its gates were thrown open and people poured out to meet you. As desire is always more insistent after hopes are aroused, the inhabitants believed it was not enough for the city to lie open for you upon your arrival, but hastened to meet you as you were on your way.¹²² (2) As we know indeed, fear masquerades as joy, but faces betray the truth, and so clearly divulge the inward emotions of the mind that the image of the soul is reflected in the mirror of the brow. That city, as if breathing again after a long siege¹²³ - for as it lay at the foot of the Alps, the tyrant had worn it down like a threshold of war - was transported with joy so great and artless that had its delight not been sincere, it would have

appeared excessive. (3) Bands of dancers crowded your path, and everything resounded with singing and castanets. Here a chorus sang a hymn of triumph to you, there, on the other hand, one sang mournful dirges and a funeral song for the tyrant.¹²⁴ On this side people were praying for the permanent departure of the vanquished, on that for numerous visits from the victors. Now wherever you trod foot they followed you, surrounded you, went ahead of you, until finally the streets where you were borne were blocked. No one had any regard for themselves or for you; the pertinacity of their joy made the injury flattering to you. (4) Why should I recall the festive approach of the liberated nobility before its own walls, the senators resplendent in their white robes, the flamines venerable in their municipal purple, the priests distinguishable by their mitred hats?¹²⁵ Or, indeed, the gates crowned with green garlands and the squares waving with tapestries, and the day prolonged with blazing torches? Why recount the crowds pouring out of their houses into the public places, old men congratulating themselves on their years, youngsters pledging long service upon your behalf, joyful mothers and girls without a care. You had not yet brought the whole war to an end and you were already celebrating a triumph.

38. (1) Meanwhile Maximus kept on going, and, looking back at you over his shoulder, flew away, frenzied, like a madman.¹²⁶ Nor did he pursue any plan or reasoned course of action,¹²⁷ or even entertain any hope, which is the last thing to desert a man. On the contrary he got tangled in the very deviations of the way, and veering now to the right and now to the left and now meeting his own footprints, he wove an uncertain course in his perilous meandering. (2) And all the while we can imagine him asking himself: "Where shall I flee? Shall I try war again? A man whom I could not resist with all my forces intact shall I withstand with only a part? Shall I bar off the Cottian Alps because the Julian Alps were such a help to me?¹²⁸ Shall I make for Africa, which I have drained?¹²⁹ Shall I seek Britain again, which I abandoned? Shall I entrust myself to Gaul? But I am hated there.¹³⁰ Shall I venture to Spain? But I am well known there. (3) What then am I to do, caught between weapons and hatred? In the rear I am harried by my enemies, from the front by my crimes. If I were to die, I had escaped them. But, look, neither my hand obeys my

brain, nor the sword my hand. The weapon wavers, my right hand trembles, my resolution falters. O how difficult it is for the wretched even to die."

(4) And so, just as wild animals, when caught in a trap, after desperately seeking for a long time for a way out, stand still, and do not flee because of their fear, so Maximus, caught fast in that terror which was tormenting him, bolted into the town of Aquileia, not that he might defend his life by resisting, but that he might not put off his punishment by procrastination.¹³¹ (5) Although what further postponement could there have been, when eager soldiers were treading in his footsteps and at his back, so that a speedy revenge almost forestalled the whole procession which followed?¹³²

39. (1) Rightly indeed have those twin fancies of painters and poets conceived of Victory as winged, because when Fortune goes with men theirs is not a run but a flight.¹³³ (2) That army, rushed by rapid marches from the most distant recesses of the east, worn out from leaving so many countries behind, from swimming across so many rivers and climbing so many mountains, set down in another world and, I might almost have said, under another sun, in the space of a day made its way from Illyricum to Aquileia.¹³⁴ (3) Your soldiers, however, lay claim to nothing for themselves on this account, and whenever they draw in circles of admirers or prolong our banquets with their conversation¹³⁵ they assert that all their own work was limited by the boundary of the Alps, and deny that that swiftness was due to them, for they saw themselves arriving, having exerted no effort, at a place to which they had not been sensible of travelling. Indeed they say that they were not carried bodily, but, as if they were transported in their bodily absence in the illusion of a dream, that they had provided the service of idle limbs to the winds that carried them. (4) Nor does belief waver, for if in olden days our stern forefathers believed that the twins Castor and Pollux, conspicuous because of their white horses and caps adorned with stars, while washing off the dust and blood of Thessaly with the waters of the Tiber, both announced the victory and claimed credit for fighting,¹³⁶ why should we not suppose that some manifest concern of immortal god strove to avenge you and the state? – unless perchance the Roman state demanded a greater exertion of divine favour for its augmentation by the kingdom of Macedon than its delivery from slavery to a tyrant. (5) If the

favour of the gods is to be measured by the worthiness of the cause, I for one would contend with good reason that your cavalry were carried along, borne aloft, by Pegasuses, your infantry on winged feet. Simply because divine things disdain to show themselves to mortals, we shall not on that account doubt that things that were not seen were done, since we see things done which we would have doubted could have been done.

40. (1) He judges your fortune too narrowly, emperor, whoever believes of you only what is possible! Or, when I see that from the Julian Alps the sword has been at its ease and on holiday, and there has been no battle, but rather a triumph, should I hesitate to label that some special kind of military service accountable to your good fortune? (2) We know, indeed, emperor, that you have so managed everything that success cannot make any claim upon you, but you must confess that your good Fortune did as much for you after the war as you accomplished during it. If we were to give her a voice and a judge, would she not set out at length the help she has given you, and, while conceding much to your virtues, would she not also claim something for herself? (3) And why, I ask, should we not give her such an opportunity, in order to listen to assertions on each side, since the side which wins will be yours? I hear Resolution saying: "I undertook a fierce and perilous war"; Patience recalls: "I endured a mighty journey, a harsh time of year, constantly under arms, and often hungry; Wisdom maintains: "I divided up the troops and multiplied terror by my skill"; Bravery asserts: "Twice I engaged the enemy, and twice I was victorious"; at last all exclaim: "What do we owe to you, Fortune, whom we have made?" But if she were to say "I helped the army to speed its course; I hindered the enemy's flight; I forced Maximus behind walls and the man whom you were compelling to die I preserved alive for his master", (4) I do not see what judgment could be made but that since one party claims credit for the flight of the tyrant, the other for his custody, the state, which is equally indebted to both, should so combine each as to confess that she owes victory to the one and vengeance to the other.

41. (1) But nor do you repudiate, like one disavowing a liability, the gratitude you owe for the favour; for even if you completed what you wanted by yourself, yet it was through Fortune that you obtained more than

you wanted. (2) Come, if you please, consider your thoughts at that time and recall your prayers. Did you expect anything more than that you would receive an announcement that Maximus had been killed, that his head had been carried from the field of battle, half-alive, with his eyes not yet wholly closed in death, that at most, he had been captured while fleeing or resisting? (3) But when did you even hope for what actually happened, that he himself might save himself for you, that he might be unwilling to inflict death upon himself, although he had the opportunity? Love of life is, indeed, I confess, a powerful, indeed the most powerful, instinct in the human breast, and death an object of horror, but only to the extent that either the former can be hoped for or the latter avoided. But if the final hour hangs over one's head, and the day has come which can never be reversed, and death has manifested itself, the end is not feared when it is certain. (4) Hence defendants are in fear until they are found guilty, and then there is stupefying paralysis, and the unconcern of hopelessness, and a voluntary hastening to the place of punishment with no need for the executioner to drag them off. Not to mention those who, bravely coming to terms with the fates, have anticipated an uncertain death by a certain one, and to say nothing of slaves who have escaped the lash by hanging themselves and have evaded their masters' passions by jumping over a cliff, who has ever felt fear when all hope was gone? (5) Who then has been unwilling to kill himself, in order to be killed? Unless, in truth, either another's hand is gentler than one's own, or a private death more dishonourable than a public one, or to fall upon one's sword and heap wounds upon one's body and to receive death instantly and completely is a more protracted torment than to divide the whole punishment up, to bend down, stretch out one's neck, and to wait for a blow which might not be a single one.

42. (1) And yet, when did he ever imagine he was to be transfixed with the sword? Did he not rather fear the fire, the sheets of metal, the cross, the sack and whatever else he deserved?¹³⁷ Never, assuredly, was he so sensible of his own crimes that he could hope for the death by which he perished. (2) If, therefore, the defendant could neither count on pardon, nor the trapped man hope for flight, nor the man about to die fear death, and, in the certainty of the end, a voluntary death ought to

have seemed more tolerable than a compulsory one, a private death more honourable than a public one, finally an anticipated death less protracted than one awaited, can anyone be in any doubt that Fortune was responsible for his losing his reason? She, she it was who blinded the tyrant's judgment, and she who blunted his wits and his weapon, she who struck aside and held his hand when it was poised to inflict the wound. (3) Unless, of course, it was you, revered Gratian, who, accompanied by the avenging Furies, haunted your slayer, and, an angry and menacing shade, shook in front of his face and eyes torches smoking from the fires of the underworld, and whips cracking with their twisted snakes,¹³⁸ lest he be spared for an honourable death, lest he contaminate that regal and sacrosanct apparel with his impious blood, lest the garment that was once yours, and then to be your brothers',¹³⁹ receive doomed blood even as it was being avenged, lest finally the hand of the tyrant avenge you and you owe to Maximus even his own death.

43. (1) And clearly everything fell out so that your vengeance seemed not only saved up, but ordained. For whence, I ask you, came such a sudden conversion that he who had been afraid to meet death was not afraid to seek it out, that he who had shut himself away for terror now boldly offered himself up?¹⁴⁰ (2) Here there was no longer any delay in hastening events. Immediately your most valiant generals undertook to arrange your triumph, the diadem was toppled from his head, his robe was snatched from his shoulders, the ornaments from his feet, and finally the whole man was fitted out to receive his deserts.¹⁴¹ (3) The despoiler of the public was publicly stripped, his rapacious hands were bound, the fugitive's legs were bared, in short he was presented for your inspection just as a captive should be presented to the victor, a slave to his master, a tyrant to his emperor.¹⁴² (4) Nor would you have wanted him to come into your sight, such is your merciful nature, lest the man of death contaminate those eyes which bring well-being to all, had you not wanted to suppress the lying rumours and to clear yourself using as witness the man who gave them currency. (5) But it has its avengers, the criminal mind, it has some kind of internal executioner; either the conscience itself is its own executioner, or as I rather believe, to be interrogated by you is a more severe inquisition than any. (6) At your opening words a confession was drawn from his

wicked breast, nor could he make the least delay, or keep silent, to prevent his whole plan from being revealed, namely, that he had used the pretext of having your favour as a cover for himself, because he could not otherwise have won the complicity of the soldiers, had he not portrayed himself as an agent contracting on your behalf.¹⁴³

44. (1) And after this response did you not order him to be put up on the cross, to be sewn up in a sack, or to be torn to pieces? Did you not, finally, give instructions for that tongue, responsible for such a colossal lie, to be pulled out by the roots, along with the part of the vitals whose falsehood it had spoken?¹⁴⁴ (2) No, you had already begun to hesitate about his death; you had lowered your eyes, and a blush had suffused your countenance and you were beginning to speak with compassion.¹⁴⁵ But it is well that you cannot do everything: your men avenge you even though you are unwilling.¹⁴⁶ And so he is snatched from your sight, lest there be any scope for mercy, and is carried to his death by innumerable hands. (3) Behold, again, emperor, you turn away, and are troubled by the account of the tyrant's death. Now, now rest easy. I shall respect your merciful nature: what you did not wish to behold you shall not hear. (4) To this, to this, you pious bards, devote all the labours of your learned nights; celebrate this in all your writings and in every tongue, nor be anxious as to whether your works shall last. That eternity which you are accustomed to confer on histories shall come from history. (5) You, too, artists, to whom a propitious fate concedes the power to give fame to events, scorn those hackneyed themes of ancient fables, the labours of Hercules and the Indian triumphs of Bacchus, and the wars with snake-footed monsters.¹⁴⁷ Turn your skilful hands rather to these exploits; with these let the public squares be decorated, with these the temples. May these be rendered in ivory, and in marble; may they live in colours; may they be fashioned in bronze; may they increase the worth of gems.

45. (1) It is important to the security of every age for what has been done to be seen so that if anyone has ever entertained any nefarious desires, he may review the monuments of our times and drink in innocence with his eyes. If anyone at any time dreams of draping his shoulders with royal purple may he encounter the depiction of Maximus being stripped. (2)

If anyone wishes to decorate his simple citizen's feet with gold and gemstones may bare-footed Maximus appear before him. If anyone contemplates placing a diadem upon his head may he gaze at the head of Maximus plucked from its shoulders, and at his nameless corpse.¹⁴⁸ (3) We realize, of course, that no revolution will ever come about, since the Roman Empire shall always belong to you or your descendants;¹⁴⁹ it is important, however, to the two-fold¹⁵⁰ security of the state that what cannot happen should also not be feared. (4) But however the hand of the artist renders your deeds of courage for the eyes of a curious posterity, when the copy of the painter and sculptor will follow you either scaling the crests of the Alps, or swimming across rivers in your path or crushing the enemy host with triumphant footsteps, with what chisel, emperor, with what pigment, with what bronze or gold shall they depict your clemency? With this, you, victor over victory itself, so laid aside all your anger with your arms that no one was killed after the war, certainly no one after Maximus.¹⁵¹ (5) After a few of the Moorish enemy, whom he had shut up with him like a hellish brigade when about to meet his doom,¹⁵² and two or three trainers of that raging gladiator¹⁵³ were slain as expiatory victims of the war, pardon embraced all the rest, enfolded as it were, in a maternal bosom. (6) The property of none was confiscated,¹⁵⁴ no-one's liberty was forfeited, no one's previous rank diminished.¹⁵⁵ No one was branded with censure, no one was subjected to abuse, or indeed reproof, and atoned for a crime which merited death by mortification to his ears. All were restored to their homes, all to their wives and children, all finally - which is sweeter - to innocence. (7) See, emperor, what the consequences of this clemency are for you:¹⁵⁶ you have so managed things that no one feels that he has been conquered by you, the victor.

46. (1) You regarded this from your hills, Rome, and, sublime on your seven citadels, you were raised even higher with joy. You, who experienced the raging of a Cinna, and Marius made cruel by exile, and Sulla, "fortunate" by your destruction,¹⁵⁷ and Caesar, merciful to the dead, used to quake at every trumpet blast of civil war; (2) for in addition to the slaughter of soldiers perishing for you on both sides, you had wept for the leading lights of your senate, extinguished at home, the heads of consuls were stuck upon pikes, Catos forced to die, Ciceros mutilated and

Pompeys unburied; (3) the fury of your citizens, rent apart by faction, led to graver losses than those inflicted by the Carthaginian looming at the gates or the Gaul admitted within the walls; Emathia more deadly than the day of the Allia, the Colline gate more lethal than Cannae, long ago left such deep scars that you, having always suffered more grievously from your own than another's valour, feared nothing more than yourself.¹⁵⁸ (4) Now you have seen a civil war ended with the slaughter of the enemy, a peaceful soldiery, the recovery of Italy, and your liberation; you have seen, I repeat, a civil war ended for which you can decree a triumph.¹⁵⁹

47. (1) May it have been proper, august Emperor, for me to have dealt with your past exploits up until this point; but although the occasion urges me to recall your present deeds, I would prefer to put an end to my speech than to usurp the duty of this most splendid order. (2) At any rate, my pious brashness will be pardoned if, rather than to have occupied the ground belonging to another, I seem to have appropriated the sentiments of all. I hope, too, that I have had permission, both with your divine assent and the favour of the senate, to have spoken of all that you have accomplished so bravely and successfully on behalf of the state in barbarous lands and in distant provinces. (3) But what took place in Rome; the impression you made on the day you first entered the city;¹⁶⁰ how you behaved in the senate-house and on the rostra; how you followed the procession of litters which went before you, now in a chariot, now on foot, distinguished in either mode of progress, triumphant now in war, now over pride; how you showed yourself to all as a prince, to individuals as a senator; how in your frequent and unpretentious public appearances you not only visited public buildings, but hallowed with your divine footsteps private dwellings as well,¹⁶¹ all the safer, with your military guard removed, for the vigilance of a devoted people, let all these be praised by the tongues and voices of these men, (4) of these men, I say, who on the subject of common joys, will surely be able to extol more worthily what is most outstanding, and more justly what is especially theirs.¹⁶² (5) O happy journey of mine ! O labours well undertaken and brought to their conclusion. In what happy events have I shared ! And what joy is in store for me ! What marvellous tales shall I have to tell to the cities of Gaul upon my return !¹⁶³ What crowds of admiring people, how great an

audience, shall surround me when I say: "I have seen Rome; I have seen Theodosius; and I have seen both together;¹⁶⁴ I have seen the father of the prince himself, I have seen the avenger of the prince; I have seen the restorer of the prince !" ¹⁶⁵ (6) Distant cities will flock to me; every pen will receive from me the story of your exploits in due order; from me poetry will get its themes; from me history will derive its credibility. Although I myself have said nothing about you which is worthy of being read, I shall compensate for this injury I have done you, emperor, if I furnish the materials for those who will be read.

COMMENTARY

1. A reference to the Emperor's consistorium, which will have accompanied him on his journey to Rome; cf. Amm.15.5 for its operation under Constantius II, and Jones LRE 333 ff.
The phrase is taken over from the exordium of Mamertinus' speech to Julian (Pan.11 1.1), the first of many such borrowings from other speeches in the corpus.
2. Rome; cf. Introduction. Note Pacatus' failure to mention the absent Valentinian II, who is rightly regarded as a cipher.
3. The speaker's profession of inadequacy is a convention; here Pacatus elaborates upon the sentiments expressed by the orator of 313 (Pan. 9 1.2). In fact Gallic oratory was celebrated; Symmachus sought a Gallic rhetor to instruct his son Memmius (Epist.6.34). He himself had imbibed rhetoric from a teacher from Bordeaux (Epist.9.88, which is a noteworthy tribute to Gallic eloquence). But Pacatus' trepidation may not be entirely artifice; as we shall see below, he was to touch on some delicate matters.
4. His starting point appears to have been Bordeaux; cf. Introduction. The formal ceremony of adoratio entailed prostration at the feet of the Emperor. An amusing passage in Pan. 3.11.1 describes the confusion caused when privileged subjects were admitted into the presence of joint Emperors, and did not know in which direction to make obeisance.
5. The hackneyed sentiments and familiar tags ("united disparate things", "equal freedom" - cf. Pliny Pan 24.1; Tac. Agric.3) may distract the reader. One is entitled to wonder whether Pacatus, like Symmachus, had praised Maximus in panegyric. (For Symmachus' panegyric to Maximus, Milan, 388, his embarrassment and subsequent pardon by Theodosius, see Socrates, HE 5.14.6). Symmachus will have been in the audience, and Pacatus' insistence on the element of compulsion will have warmed the senator to him (see Introduction).

6. A variation on a formula - panegyrics were regularly delivered at the celebration of an imperial anniversary - which derives its inspiration from Pan. 4.2.2. This was not such an anniversary; Pacatus commences, appropriately, with Theodosius' accession on Jan. 19, 379 (Chron.Min.I p.243) in the aftermath of the battle of Adrianople.

7. This has been cited as evidence that Pacatus was Christian, on the ground that pagans would face the cult image (Liebeschuetz, Continuity and Change in Roman Religion, 301). Others find it inconclusive (e.g. Pichon 147-8). The use of the first person certainly implies personal identification with the practice of orientation, and in the presence of Theodosius Pacatus might well be referring to contemporary Christian practice (cf. Tertullian Apol. 16 and Ad Nat. 1.13 for such practice leading pagans to believe that Christians worshipped the sun, and Lactantius Div.Inst. 2.9 for the symbolic value of the East for Christians). But Pacatus' words are both public and politically charged, and even were it granted that he has Christians exclusively in mind there could be no safe inference from them as to his private beliefs, only that he was familiar with Christian ritual and with Theodosius' convictions (see Introduction).

8. After the battle of Adrianople (9 Aug. 378), for which see Ammianus 31.12.10-13.19. After the battle the Goths made a vain attempt to take the city of Adrianople (Amm. 31.15), then, joined by the Huns and Alani, they advanced on Constantinople, but were checked by a troop of Saracens in front of the city (Amm. 31.16) "They then dispersed throughout the northern provinces, over which they roamed at will as far as the foot of the Julian Alps" (ibid. 16.7). For Rufinus, writing a generation later, "this battle was the beginning of evil for the Roman Empire, then and thereafter" (HE 2.13). He was not alone in his judgment; cf. J.A. Straub, "Die Wirkung der Niederlage bei Adrianopel auf die Diskussion über das Germanenproblem in der spätromischen Literatur", Philologus 95 (1943) 255-286. For the battle itself, see T.S. Burns, "The Battle of Adrianople: a Reconsideration", Historia 22 (1973) 336-345; for the campaign in its wider context, cf. Seeck, Untergang, 5.84-134. Pacatus is a little

more specific about the aftermath at 11.4.

9. Pacatus borrows a phrase from Pan. 8. 5.3, and an idea from Pan. 7. 14.3, where the speaker is reluctant to describe Maximian's rebellion against Constantine in 310.
10. Valentinian II was only four at the death of his father in 375 (Amm. 30.10.4; Epit. 45.10). Theodosius' appointment meant that Gratian could return to the West to deal with invasions there (cf. Zos. 4.24.4).
11. The anachronism is gratuitous; but Mamertinus, whose panegyric Pacatus frequently pillages, and may have drawn upon here, makes a pointed, if lengthy, contrast between Republican canvassing for the consulship and Julian's appointment of the worthiest men, himself at the forefront (Pan. 11.16 ff). Ausonius, too, in his Gratiarum Actio (9), elaborates an effective conceit involving the comitia tributa and centuriata in regard to the consular "elections" in Sirmium, 378. See Lippold, "Herrscherideal und Traditionsverbundenheit im Panegyricus des Pacatus", Historia 17 (1968) 228-250 for further comments on "Republican" colouring in Pacatus.
12. Theodosius came from Cauca in Gallaecia (Zos. 4.24.4; Hydatius, Chron. 379 = Chron. Min. 2.14). Spain is praised on Menander's principle that if the honorand's native city is undistinguished the orator will do better to praise his native land; Menander, Treatise 2, 368-9.
13. A safely ambiguous expression of monotheism; cf. Pan. 9.26.1: summe rerum sator ("O almighty creator of things") in the presence of Constantine in 313. Pacatus addressed a Christian Emperor, but a Senate which was probably still predominantly pagan despite Ambrose's claim to the contrary (Ep. 17.9:384); such is the view of A. Chastagnol, La Préfecture urbaine 454 f.).
14. Gargara, a mountain in the Mt. Ida range in Mysia, and a town at its foot (Verg. Georg. 1.102-3; Columella 3.8.4; Pliny NH 5.122); Mevania

in Umbria (Columella 3.8.3; Silius Italicus 4.543-6, 6.647); Mt. Gaurus (Monte Barbaro) famed for its wine, in Campania (Pliny NH 3.60; 14.64 Silius 12.159-60; Juvenal 9.57.); the Pactolus was rich in alluvial gold.

15. Orators such as the elder Seneca and Quintilian; poets such as Lucan and Martial.
16. Apollo and Artemis.
17. Pichon dismisses this as "purely a formula of official politesse" (148 n.3), while Galletier, citing 6.4, believes there is more to the remark (50-1). Whatever the case, it is noteworthy that Pacatus seems to revive the expression of the personal divinity of the emperor after a considerable interval, as R. Seager observes: "Some Imperial Virtues in the Latin Prose Panegyrics", Papers of the Liverpool Latin Seminar 4 (1983), 158. Deciding to what extent Pacatus' language reflects his personal beliefs or those of his audience is rendered more difficult by the licence of the genre: he frequently reproduces the sentiments and even the phraseology of his forerunners; see now B. Rodgers, "Divine Insinuation in the Panegyrici Latini", Historia 35 (1986) 69-104, 92ff; Pan. 2.2.5; 3.10.5, and below (6.3-4 with nn. 24-26).
18. "Count" (comes) Theodosius, whose distinguished military career, depicted in glowing terms by Ammianus (Bks.27-29), came to a sudden end when he was executed in Africa in 375-6 in mysterious circumstances. Ammianus is strangely silent about his death, which has suggested to some (e.g. E.A. Thompson, Ammianus 92ff.) that Theodosius was involved in treason, and that the historian, writing when his son was Emperor, shrank from recounting the episode. Jerome (Chron. 376) claims that very many nobles died with Theodosius; a gloss adds that he died at the hands of a faction of men who were soon to be killed themselves, and names "Maximinus ex praefecto". Orthodox opinion is that Gratian gave the orders for the execution (cf. A. Hoepffner, "La mort du magister militum Théodose", REL 14 (1936) 119-129), even though he may have been little more

than a puppet in the hands of powerful intriguers (cf. A. Demandt, "Der Tod des älteren Theodosius", Historia 17, 1969, 598-626).

If Gratian were responsible, it might help explain the Emperor Theodosius' failure to act swiftly to avenge Gratian's death at the hands of Maximus; but there are other ways to account for this (see below n.99) In any case there is much we do not know: glosses on Orosius 7.33.6-7, for instance, allege that Valens ordered Count Theodosius' death, and Jordanes follows suit (Romana 312). This hint has been taken up by N. Gasperini, "La morte di Teodosio padre" Contributi dell'Istituto di storia antica (Milan) 1 (1972) 150-197; cf. A. Birley, "Magnus Maximus and the Persecution of Heresy", Bull. John Rylands Libr. 66 (1983) 22 n.62.

19. This is a difficult passage which has led to much discussion. Various attempts have been made to reconcile the statements of Pacatus with what else we know of Count Theodosius' career, and indeed to use them to build upon. Space does not permit a full treatment of the issues here; see Appendix.
20. By the word 'commanders' (duces) Pacatus means privati, as distinct from emperors. The last privati to have received victory cognomina for their achievements appear to have been Q. Caecilius Metellus Creticus, cos.69 B.C. (the last "in republikanischer Zeit" cf. F. Münzer, Römische Adelsparteien 355 n.1) and (possibly) T. Marius Siculus, prefect of the fleet in Sicily, 42-39 or 38-36 B.C. (RE 14, 1821-2; I. Kajanto, The Latin Cognomina, Helsinki, 1965, 193), although in Julio-Claudian times a son might receive one (e.g. Cn. Cornelius Lentulus Gaetulicus, son of Cossus Cornelius Lentulus cos. 1 B.C.). But in the Empire victory titles were normally reserved for members of the imperial family. Ironically, as far as we know Theodosius himself did not assume multiple victory titles when Emperor. The practice of taking them lasted at least till 369-370; cf. ILS 771, where the title Gothicus, assumed by Valentinian I, Valens and Gratian, results from Valens' campaigns of 367-9. The practice was revived under Justinian (CIL 3 13,673). Either Theodosius preferred not to advertise himself as a military victor, (but cf.

Ch.8.3-5. 10.2-4, 22.1-5 below) or he had little to advertise.

21. A conventional observation; cf. Cicero, Pro lege Manilia 28 (adding scientia rei militaris and auctoritas). But as Seager comments (op.cit. 159) Pacatus goes on to give felicitas "a highly unexpected sense" (contrast Cic. op.cit. 47ff.).
22. And perhaps he made a bid to become one; see n.18.
23. For other tributes to Theodosius' handsome appearance see Themistius, Or.14, 180D; 15, 188C. Epit. 48.8 has a more balanced appraisal, comparing him with Trajan on the basis of "ancient writings and paintings". While perhaps not matching Trajan in physical appearance ("I am not sure whether he had his grace and blooming complexion, or his dignified gait"), Theodosius' mind was equal to the comparison.
24. The idea, and some of the phraseology, is adapted from Pan.7.17.3 on Constantine.
25. Pacatus is here indebted to Pan.9.2.4-5. For the phrase deus consors cf. ILS 583: "Herculi Aug. consorti d.n. Aureliani invicti August". Consors would seem to be analogous to comes, but rarer; for the latter, see A.D. Nock, "The Emperor's Divine Comes", JRS 37 (1947) 102-116 = Essays (ed. Z. Stewart) 2 653-675. The term is particularly common on coins of the Tetrarchic period. Later on (18.4) Pacatus refers to "that god which shares (particeps) in your majesty", again, hardly conventional phraseology for a Christian god.
26. This is a startling passage on at least two counts. First, it might seem an extraordinary way to compliment such an ardent Christian emperor as Theodosius, and secondly, it claims for ruler cult what is often denied it, viz. some kind of parity with the traditional public cults of Rome, with people praying directly to the emperor to avert danger, as they would do to Neptune, Fortuna or Mars. If not the figment of an adulatory mind, this passage confirms that there was

real belief in the supernatural powers of the Emperor.

On the first point, one should note that ruler cult continued to flourish under Christian Emperors; Constantine and his sons authorized the cult of themselves and the gens Flavia (ILS 705, Hispellum in Umbria; trans. Lewis and Reinhold pp.608-9), with restrictions that presumably prohibited sacrifice; cf. most recently, S.R.F. Price, "Between Man and God: Sacrifice in the Roman Imperial Cult", JRS 70 (1980) 28-43, 40; G.W. Bowersock, "The Imperial Cult: Perceptions and Persistence", in Jewish and Christian Self-Definition III, ed. B.F. Meyer and E.P. Sanders, London 1982, 171-182; 176ff. Lippold op.cit. 244-5 picks up some of the earlier discussions.

On the second, Nock argued that there was a change in the fourth century under Christian influence, that pagans might now address prayers to a dead ruler as Christians invoked the help of saints ("Deification and Julian", JRS 47 (1957) 115-123 = Essays 2 833-846). Bowersock has suggested that pagans were responding not so much to Christian attitudes towards saints in general as to the management of the imperial cult itself by the Christians (op.cit. 181). Price objects to the analogy of saints, who were intercessors, and not objects of prayer themselves, like the Emperors, and argues "that personal prayers were indeed made to the emperor both living and dead, and that prayers had a prominent place in the ideology of the imperial cult" in the period before Constantine ("Gods and Emperors: the Greek language of the Roman Imperial Cult", JHS 104, 1984, 79-95, 91-93). His recent book, Rituals and Power: the Roman imperial cult in Asia Minor (Cambridge, 1984), seeks to challenge the prevailing view of the imperial cult as a system of political honours devoid of any real religious meaning.

27. If Pacatus were conscious that he was overdoing things the realisation did not check him. But the fact that he chose to retain the observation in the published version of his speech suggests that it is a conventional formula of transition.
28. According to Epit. 47.3 he was in his 33rd year at his succession

(Jan.19, 379); Cons. Const., Chron. Min. I 243; Epit. 48.19 states he was in his 50th year at his death (Jan. 17, 395 Soc. HE 5.26.6; 6.1; Chron.Pasch. a.394, Chron.Min. I 245). Assuming the latter to be a round figure, he was born on Jan. 11 (Polemios Silvius CIL 1²257) 347. This squares somewhat better with Ammianus' comment (29.6.15) that as dux Moesia in 374 he was a young man (iuvenis) with the first down on his cheeks (cf. Ambrose Obit. Theod. 53) than with the claim of Socrates (5.26.6) and Sozomen (8.1.1.) that he was in his 60th year when he died.

29. The Lex Villia Annalis of 180 B.C. regulated the ages of candidates (cf. Livy 40.44.1). Pacatus exaggerates: many evaded its provisions; e.g. Scipio Aemilianus.
30. Valerius Maximus (6.9) gives these examples, and it is not unlikely that Pacatus consulted him (cf. below, nn.136, 147 and 157). It was perhaps around the time of Pacatus that Julius Paris compressed the ten books of Valerius Maximus ad unum volumen to provide exempla for disputantes and declamantes; see H. Peter, Geschichtliche Literatur über die römische Kaiserzeit bis Theodosius I I (Leipzig, 1897) 47 cf. PLRE I 'Paris'.
31. Following Pan 6.13.5, which made the point with respect to the combined advantages of Maximian and Constantine; cf. too, Pan. 3.7 6-7.
32. Zos. 4.35.3 corroborates this by claiming that Maximus campaigned in Britain with Theodosius basileus, which can only be when Theodosius' father fought there before his son's accession (cf. Ensslin, RE 14, 1930, 2546). An expedition against the Sarmatians may be another in which both fought (cf. 5.2 and Appendix). Zos.4.24.4, Soc.5.2.2 and Soz.7.2.2 refer to Theodosius' military experience before his accession in general terms.
33. Scipio served at Pydna in 168 at the age of 16 (Livy 44.44.1-3); Hannibal accompanied his father to Spain at the age of 9 (Livy

21.1.4); Alexander campaigned at the age of 16 and fought at Chaeronea in 338 at 18 (Plut.Alex.9).

34. After his father's death, when according to Ambrose, Obit.Theod. 53, his life, too, was threatened by his father's enemies. Theodore, too, reports that prior to his accession he was living in Spain, where he had been born and grown up, laid low by the envy of his rivals (5.5.1). Pacatus is the only source for what follows, and perhaps was briefed on the subject (9.4).

35. Abidingly popular exempla, which might be drawn from anywhere. Valerius Maximus, who seems to have been much used for this purpose, does not mention Coruncanus.

36. Palm-leaf embroidered tunics were worn by triumphatores (cf., e.g., Livy 10.7.9; Suet. Claud.17.3); the trabea, or purple robe, was associated in the late empire especially with the consulship (e.g. Amm.23.1.1), and not, as earlier, with the equestrian order.

37. cf. Pan 3.3.2 and 9.22.1-2.

38. Pacatus exaggerates the speed of events, contradicting himself in the process (cf.9.2.ff), but he is clear about the chronological sequence. It was more than two years after his retreat to Spain (early 376) that Gratian summoned him to the Danube to defend the Empire from the barbarians in the wake of Adrianople, and promoted him "to a higher post" (10.3), but not yet to the imperium (10.4); so, broadly, Zonaras 13.17 and Theodore 5.5-6. Zos. 4.24.4 and Epit.47.3, amongst others, telescope summons and proclamation as emperor. For the war against the Sarmatians see also Themistius, Or 14.182C (379) and 15.198A, where Seeck (479, on 124, 33), concludes on the basis of hipparchon that the promotion was to the post of magister equitum, which seems plausible (PLRE I Theodosius 4': magister militum). Seeck (479 on 124, 24) suggests that Theodosius' uncle, Flavius Eucherius, who was probably Gratian's comes sacrarum largitionum at the time, and Syagrius, his brother-in-law, probably magister officiorum,

recommended Theodosius to Gratian.

Note that Pacatus does not actually claim a victory for Theodosius over the Sarmatians, but clearly he must have had some success to be promoted. Ausonius, Grat.Act. 2, naturally credits Gratian with the achievement.

39. Recusatio imperii is, of course, a topos, but it is important to contrast the attitude and behaviour of Theodosius with that of the usurper Maximus; Claudian; IV Cons.Hon. 47 ff. echoes Pacatus.
40. Theodosius was elevated at Sirmium (Epit. 48.1; Orosius 7.34.2; Cons.Const. a. 379, Chron.Min. 1 243). No other source gives details of the circumstances, but we learn from 31.2 that the assembly was a military one; cf. Ausonius Grat.Act. 9, speaking of the consular "elections" in Sirmium in 378, for the likely context, an assembly in full battle array ready to meet any inroad of the enemy.
41. Prosopopeia, the introduction of an imaginary or absent speaker, was a favourite rhetorical device of the panegyrists; see Pan. 6.11.1-4 for another example, where Rome is made to expostulate with Maximian.

For further details of the aftermath of Adrianople see Amm. 31.15-16 (31.16 for the union of Goths, Huns and Alani); Zos. 4.20-4; A. Mocsy, Pannonia and Upper Moesia (London, 1974) 339 ff. Arcadius (born c.377: PLRE 1; Socrates 6.23.7) alone is mentioned, for Honorius was not born until 384 (Cons. Const. a. 384, Chron. Min I 243). It was the Alamanni who invaded Gaul (Amm.31.10; cf. Zos.4.24.4).

42. Valentinian II, 7 years old in Jan. 379 (born 2 July, 371; Polemius Silvius, CIL 1² 269).
43. A conventional selection of "good" emperors. Victor (Caes.10.6) also repeats the Suetonian description of Titus (Suet. Titus 1.1). The sources are uncertain as to the reason for Antoninus' cognomen (cf. SHA, Ant.Pius 2.3 ff; Dio 70.1-2). Augustus is not known to have built new walls for Rome, so some wish to read moribus ("morals") for

moenibus - e.g. Mynors; Galletier. But Pacatus may have thought he did. Hadrian commissioned Salvius Iulianus to codify the ius honorarium, the edict of the praetors, which could thereafter be altered only by the princeps, as well as effecting other legal reforms such as giving the unanimous opinions of authorized jurists the force of law (Gaius, Instit. 1.7). Trajan added five provinces to the Empire, some of them ephemeral.

44. This outburst against usurpers heralds the main theme of the second half of the speech.
45. Theodosius' respect for chastity was enhanced, one presumes, by his Christian principles, but it is difficult to argue that his legislation (e.g.) reflects greater sensitivity upon the subject than that of his Christian predecessors: see Epit 48.10 for his prohibition of marriage between cousins (cf. C. Th. 9.7.8). Praise of Theodosius' "dread of human blood" is ironical, given the unfortunate consequences of his sudden bursts of anger, but the most notorious of these lay in the future, and Epit. 48.13 agrees with Ambrose (Ep. 51.16) that he was swiftly mollified.
46. What follows owes much to Pan. 11.11.3-4, but characteristically Pacatus expands it to two whole chapters. For a very different judgment, cf. Eunapius frag. 46 Blockley = 48-9 FGH and Zosimus 4.28.1; 33.1. Catholic writers, of course, extol Theodosius' moral qualities; e.g., Socrates 7.22.
47. Presumably Vitellius; cf. Suet. Vitell. 13 (and 16); Pliny NH 35.163; Tac. Hist. 1.62; 2.62; 2.95; Dio 65.2.2.
48. Cf. Zos. 4.27-8 for criticism of the spate of appointments under Theodosius, and for the claim that he sold offices. (But at 4.45 he commends him for some specific appointments.) Epit. 48.9 comments favourably upon his generous, but judicious bestowal of honours.
49. An allusion to Trajan's title 'Optimus'. Trajan is seldom criticized -

Epit. 48.8 ff makes him the yardstick by which Theodosius is measured (cf.n.23 above). But Ausonius (Grat. Act.17), while acknowledging Trajan's comitas (kindliness) to his friends and troops, makes Gratian's conduct eclipse his.

50. Virtually word for word with Pan.11.23.4, where, however, Mamertinus is commenting on Julian's elevation of philosophy.
51. cf. Pan.11.1.3-2.2.
52. Yet Arcadius held a consulship in 385 (Aet.8) and Honorius in 386 (Aet.2). Theodosius himself only held the consulship three times, in 380, 388 and 393, the year after his accession and the years of his decennalia and fifteenth anniversary (cf. Ausonius, Grat. Act. 6: Theodosius cheats himself to lavish the consulship on others). He rewarded his generals Promotus and Timasius for their part in the victory over Maximus with the consulship for 389, the year of this speech. He had planned to hold the consulship in 383, his quinquennalia, but gave the office instead to Saturninus as a reward for his victory over the Goths (Themistius Or.16.202 D ff. Themistius observed that he might have given the consulship to Arcadius). Note that Pacatus attributes the appointment of consuls to Theodosius; Seeck Untergang (184 and 507 on 184.9) argued that this privilege was shared, at least for the years 385-7, with Valentinian (385) and Maximus (386).
53. Ausonius, Ep. 27.34-45, too, mentions all these examples, as well as several others. This points to the use of such convenient collections of exempla as Valerius Maximus, De Amicitia 4.7. The young man from Phocis is Pylades.
54. Prophetic, in Pacatus' case? (There seems no reason to believe that Pacatus had met Theodosius previously).
55. Cf. Cicero Brut 301; id. Acad. 2 (Lucull.1) 2 for Lucullus and Hortensius; Pliny NH 7.91 for Caesar's ability to dictate several

letters simultaneously.

56. Liebeschuetz op.cit. (n.7) 301 takes this as evidence of Pacatus' familiarity with Christian writings and the concept of the recording Angel. Surely not. The Fates suggest Jupiter (cf. Verg. Aen.4. 614), with whom, somewhat incongruously, Theodosius is ranked; cf. n.25 (above). The image would not be out of place in Tetrarchic panegyric.
57. Pliny NH 7.180 and Aulus Gellius 3.15.4 give the story in this form; Livy 22.7-13, followed by Valerius Maximus 9.12-2, cites two women so afflicted after the battle of Lake Trasimene.
58. Cf. Pan 11.14.6.
59. There is little reference to regal Rome in the Panegyrici Latini. Tarquin is not mentioned directly elsewhere (but cf. Pan.11.30.3), and Romulus only at Pan. 2.13.1 and 9.18.1.
60. Epit. 48.9 and Zos.4.25.1; 27.1 agree upon Theodosius' accessibility; cf. 47.3 below.
61. A similar conceit in Claudian, Fl. Mallii Theodori Cons. 163-4, who imitates Pacatus elsewhere.
62. Studiously ambiguous; see Introduction for discussion of Pacatus' religious position. Grinda, Der Panegyrikus des Pacatus 50 argues that the plural delubra ("shrines") shows that the Capitoline Temple of Jupiter is not meant, so that summum numen must be understood as the Christian god, and Pacatus as a Christian. But such weight cannot be placed upon delubra; cf., eg., Amm.16.10.14: when Constantius visited Rome in 357 he was impressed above all by Iovis Tarpei delubra (i.e. the Capitoline Temple). It had been de rigueur for an emperor to visit the Temple of Jupiter Optimus Maximus and other shrines upon entering Rome; cf., e.g., Herodian 1.7.6. (Commodus), and their pagan subjects followed suit. In short, Pacatus' comment describes both pagan and Christian practice, and thus appeals

simultaneously to pagan senator and Christian emperor.

63. In his eclecticism Pacatus reproduces the terminology of the Tetrarchic panegyrics. For a more specific instance of Theodosius' civilitas see 47.3 and n.161.
64. Galletier ad hoc. suggests Domitian, citing Pliny Pan. 24.2-3 and 48.5 for Trajan's accessibility and Domitian's reclusiveness. This is possible, though there are no verbal echoes, and an allusion to more recent times seems more plausible. Diocletian is credited by the sources with the introduction of new court ceremonial and protocol designed to enhance the status of the emperor by making him more remote, (cf., e.g., Victor, 39.2-5), and this was followed by nearly all his successors (Julian's accessibility was atypical). Usurpers, too, adopted such practices. Ambrose, seeking a private audience with Maximus in Trier, was confronted at the palace by the praepositus cubiculi, a "royal eunuch", who after establishing his credentials as ambassador from the court of Valentinian in Milan, advised him that he could only be seen "in the consistory". And despite Ambrose's complaint that this was not how bishops were usually treated, the upshot was that he had to stand amongst the consistoriani, having only the satisfaction of refusing the proffered royal kiss (Ambrose, Ep. 24.2-3).
65. Tensae, carriages originally used to convey images of the gods to the Circensian games (Festus, p.364 Müll.; Livy 5-41.2; Val.Max. 1.1.16; Suet. Iul. 76.1; Aug. 43.5; Vesp. 5.7).
66. This is fantasy. As far as can be established Theodosius never left the boundaries of the Empire, the first Emperor not to do so. Most of his campaigns as Emperor were fought by his generals on his behalf; e.g., in the events leading up to the peace of 382 (n.67) Theodosius seems to have remained in Constantinople (Apart from a brief sojourn in Heraclea, July 381, and Adrianople, Aug? - Sept. 381, Theodosius was in Constantinople from 24 Nov. 380 to the end of 382; see Seck Regesten 255-261).

Now a good panegyrist should not risk exposing either himself or his subject to ridicule. Clearly Pacatus had powerful political reasons for taking the chance: he had to explain why Theodosius took so long to confront Maximus with his crimes (see 23.1). Theodosius' military successes within the empire before his proclamation (nn.32 and 38 above) and the remoteness of the East would perhaps help obscure the truth.

U. Asche, Roms Weltherrschaftsidee und Aussenpolitik in der Spatantike im Spiegel der Panegyrici Latini (Bonn, 1983) makes this chapter her starting-point in examining how Roman panegyrists in late antiquity, while still asserting Rome's claim to universal dominion, adapted traditional formulae and topoi to changing circumstances. For instance, in this passage a distinction is made between "our world" (orbis noster) and foreign nations (gentes), just as in the Expositio Totius Mundi, while Constantius II is "dominus orbis terrarum" (28), the work is divided into two, one part dealing with "nostram terram, hoc est Romanorum", the other with the gentes lying outside the Empire.

67. For some time after Adrianople Theodosius was engaged in fighting the Goths in the Balkans, but after ill-recorded but clearly fluctuating fortunes peace was secured in 382 through the agency of Saturninus, the magister militum. By the terms of the peace treaty (Oct.3, 382; Cons. Const., Chron. Min. I 243) the Goths were settled in the diocese of Thrace and given land on condition that they performed military service for Rome. L. Schmidt, Ostgermanen 419ff). But there was an innovation: they served as federates, in separate units under their own chiefs, a hazardous state of affairs, for which Theodosius has been much blamed, both in antiquity (e.g. Zosimus goes out of his way to detail the unfortunate consequences of Theodosius' friendly reception of the barbarians into the Empire, without mentioning specifically the treaty of 382, 4. 30, 33, 40, 56; cf. Synesius' inveighing against the "Scyths", De Regno, esp. 14-15) and in recent times (e.g. Piganiol, L'Empire chretien 213-4), perhaps unfairly, for he may have had little choice, and he did obtain some respite for the Romans (Jones LRE 156-8; Stein-Palantque, Histoire du Bas-Empire

193-4; H. Wolfram, Geschichte der Goten (Munich, 1979) 161-2. See too, E. Demougeot, "Modalités d'établissement des fédérés barbares de Gratien et de Theodose", in Mélanges d'Histoire ancienne offerts à William Seston (Paris, 1974), 143-160, who seeks to minimize the differences between the policies of Gratian and Theodosius). Revealing is the Gothic (?) writer Jordanes' description of Theodosius as "a lover of peace and the Gothic race" (Getica 29.146). Interestingly, one contemporary, Themistius, heartily approved of Theodosius' policy of peaceful accommodation with the Goths: "is it better to fill Thrace with corpses or farmers?" he asked. "Those who have come from there say that they are now converting the iron from their swords and cuirasses into mattocks and scythes" (Or. 16. 211; Jan.1st, 383). Piganiol is contemptuous of Themistius' words, asserting that his only object was to flatter Theodosius' "inertia" and "defeatism" (op.cit.213), but L.W. Daly, "The Mandarin and the Barbarian: the Response of Themistius to the Gothic challenge", Historia 21 (1972) 351-379 makes a brave case for Themistius' consistency and sincerity on the subject. Cf. too, 32.3ff and n.110.

For a radical treatment of the relationship between barbarians and Romans, see W. Goffart, Barbarians and Romans, AD 418-584 (Princeton, 1980). Goffart's bold introductory chapter seeks to explode some influential myths.

68. Nothing is otherwise known of this episode.
69. Wild exaggeration. The only Roman involvement in "Scythia" at the time appears to have been the single-handed(!) massacre (386?) by Gerontius, Theodosius' general, of "barbarians" who had been installed by the Emperor at Tomi, in Thrace, and who were acting threateningly. For this "liberation" of Scythia from danger, Gerontius was arrested by Theodosius and asked for an explanation, Zosimus reports indignantly (4.40).

The fleeing Albanus is a complete mystery, unless he derives from Florus 1.40.28, in which case the denying of the Tanais to the Scythian may be based on Florus 1.39.6 (cf. Eutropius 6.10).

70. This passage (from "either thinks it a good idea") is almost identical to Pan. 6.8.6. But Pacatus has pointedly altered the "Germany" of the original to "whatever barbarian nation".

71. A long line of Roman leaders came to grief in Persia, Crassus, Valerian and Julian among them.

72. For the clause "who once disdained ... a man", cf. Pan. 2.10.6-7. Much had happened since Herodotus wrote that the Persians had no images of the gods, temples or altars (1.131-2). Clearly Greek influence modified Persian practice from Achaemenid times onwards. Cult of rulers was important in the Hellenized court of the Parthian period (cf. Cambridge History of Iran, 3.2, ed. E. Yarshater, 1983, 844) and under the Sasanians. SHA XXX Tyr. 30.13 alleges quite plausibly that "(Zenobia) more magis Persico adorata est."

73. Shapur (Sapor) III sent an embassy to Constantinople on his accession in 384 (cf. Cons. Const. Chron. Min. I 244; Marcellin. Comes, ibid. II 61). Socrates 5.12.2 mentions gifts of gems, silks and elephants, which suggests that this is the embassy Pacatus has in mind. (If the items were routine one would not expect both to list them. Pan. 2.10.7 mentions gifts of "wild beasts of outstanding beauty"). For a later embassy (386-7) see n.108 on 32.2, below.

74. A bold ploy to disarm critics of Theodosius? Many Gauls, particularly those associated with Gratian's government, had something to be angry about. But such an admission is rare in panegyric and requires an explanation (see Introduction). Theodosius did in fact hold a triumph in Constantinople on 12 Oct. 386 over the Greuthungi (Cons. Const., Chron. Min. I 244; cf. Zos.4.38-39, and Paschoud's notes ad loc.), but the actual campaigns were undertaken by his general Promotus (see above, n.66, and Zos.).

75. Seeck (69,453) concludes from Themistius Or. 16 213A (Jan.1. 383), C. Th. 12.1.103, issued on 27 July 383 at Salamaria (on the route to

Syria?), and this passage that Theodosius was indeed in the act of journeying east (to negotiate with Persia) when news of the usurpation of Maximus reached him. Thereupon he turned back and sent out Sporacius to negotiate in his stead (John of Lydia, de Mag. 3.53), this mission ultimately leading to the partition of Armenia, the status of which Themistius makes clear was one of the issues. These events were followed by the accession of Shapur III and the embassy of 384 (n.73).

76. Maximus' usurpation took place in Britain in spring or summer, 383. Gratian was in Verona on 16th June (C.Th.1.3.1), then crossed the Alps into Raetia to campaign against invading Alamanni (Soc.5.11.2, Soz.7.13.1), which suggests that he had not yet heard of Maximus' coup.

Pacatus gives no motive for the usurpation. Zosimus 4.35 alleges Maximus was jealous of Theodosius, and exploited the resentment of Gratian's troops at the favoured treatment of some Alan deserters by the emperor; Epit. 47.6 echoes the tale of the Alani, adding some details (e.g. that Gratian would sometimes go abroad in barbarian dress). Despite his error in placing the death of Gratian at Singidunum (Belgrade) instead of Lyon, Zosimus' account seems credible; see Paschoud, Cinq Etudes sur Zosime 80-93 (summary, Zosime (n.172 at 4.35) for a detailed discussion of the problems involved. Matthews suggests that Maximus aimed to set up, "in place of the rule of a dilettante youth and a child, a vigorous military regime after the style of the elder Valentinian" (175). Gratian had been absent from Gaul for over two years, and many of his Gallic subjects may have been chafing (cf. Seeck Untergang 497 on 166.8).

77. For the revolt of Spartacus, 73-71 BC, cf. Appian BC I 116-120, who reports that it, too, was ridiculed at the outset. Certain phrases recur in the Latin sources: with Pacatus' "ecfracto Cn. Lentuli ludo", cf. Florus 2.8.3 "effracto Lentuli ludo"; Eutrop. 6.7 "effracto Capuae ludo"; Florus calls Spartacus a myrmillo. The owner of the gladiatorial school is named Lentulus Batiatus (corrupted from Vatia?

cf. Münzer, "Cornelius" n.209 RE 2) in Plut. Crass. 8; the praenomen Gnaeus may be due to confusion with the defeated consul Cn. Lentulus, but as Orosius has it (5.24.1) it may be historical.

The Cilician pirate was Athenio, who fomented a slave rising in the vicinity of Segesta and Lilybaeum in Sicily, 104 B.C. (Diodorus 36.5). The slaves managed to hold at bay both praetorian and consular armies for some years. Pacatus' ferro ergastulorum echoes Florus 2.8.6.

78. Maximus is disparaged as an exile, and the outbreak trivialized, in order to excuse Theodosius' inaction, but at the time of his usurpation the usurper was probably in official command of troops, perhaps as comes (PRLE I 'Maximus' n. 39) or dux (S. Frere, Britannia² 404) Britanniarum; cf. too Birley, The Fasti of Roman Britain, 350. The Gallic Chronicle of 452 (Chron. Min. 1.646) records, after the notice of his elevation, that he had beaten off an incursion of Picts and Scots. It might seem more likely that this preceded, and was responsible for, his proclamation (so Birley, ibid 351), but the sources do not permit certainty.

Maximus told St. Martin that he had not assumed power willingly, but that by divine command the soldiers had imposed it upon him (Sulpic. Sev. V. Mart. 20.3), and this version appears also in Orosius 7.34.9. Analogies are not far to seek (Julian? cf. Amm. 20.4 ff. and esp. 5.10).

"Exile", either because the remoteness of Britain made command there tantamount to exile, or perhaps, more pointedly, suggesting that Maximus had had to go into exile or retirement (like the younger Theodosius) after the fall of Count Theodosius, in which case he must have been rehabilitated later by Gratian (cf. Ensslin, "Maximus" RE 14, 1930 2546).

79. Zos. 4.35.4-5 gives an account of the desertions from Gratian when Maximus crossed the Channel. While "the armies in Germany and beyond" rallied to Maximus, initially "a not inconsiderable part" (μέρος οὐ μικρόν) of Gratian's army remained loyal. The initial clash

took place near Paris (Prosper Tiro, Chron. a.384, Chron. Min 1, 461, 1183).

After five days of skirmishing the Moorish cavalry deserted to Maximus, other units followed, and Gratian fled with some 300 picked cavalry. As Seeck suggests (167), the Moorish cavalry will have known Maximus from his service in Africa with the elder Theodosius (Amm.29.5.6, 21). Ambrose Ep.24.10 also mentions that the army deserted Gratian.

As for the treachery of the generals, the fifth-century Gallic chronicler, Prosper Tiro, claims that Merobaudes, magister militum (Zos.4.17; he had evidently been magister peditum in 375; Amm. 30.5.13; but cf. A.Demandt "Magister militum", RE Supp. 12 1970 593) betrayed Gratian at Paris (ibid); cf. accusations against him in 377; Amm. 31.7.4). An inscription from Rome (Rossi, ICUR 1.370 = n.s.II 5996) shows him as cos. III with Theodosius in 388. If this could be relied upon it might point to his being honoured by Maximus (so Rodgers, "Merobaudes and Maximus in Gaul", Historia 30 (1981) 82-105, esp. 93 ff.; PLRE 1 'Merobaudes 2'; but cf. n.91).

Others prefer to reject the testimony both of Prosper and the inscription; e.g. T.D. Barnes, "Patricii under Valentinian III", Phoenix 29 (1975) 155-170, who believes (160) that Prosper has confused Merobaudes with Andragathius (see below) and that the COS III of the inscription is an error for COS II (= 382, when Theodosius had intended to take the consulship; cf. too, Demandt, ibid. 598; M. Waas, Germanen im römischen Dienst im 4. Jahrhundert nach Christus (Bonn, 1971) 54-6, 110-6).

Andragathius, who captured and executed Gratian (Zos 4.35.6) and became Maximus' key general in the final campaign against Theodosius (Oros. 7.35.3-5; Zos.4.46), was a turn-coat, for Ambrose compares him with Judas (Comm. in Psalm 61.24 = Migne PL 14, 1177), and seems to be a better candidate than Merobaudes. But the fact that at 28.4 Pacatus uses Merobaudes' death (enforced suicide) as an example of Maximus' cruelty does not in itself disqualify him as one of the treacherous generals. Pacatus, the skilful rhetor, is perfectly capable of using Merobaudes in a double role - unnamed, as

one of those who betrayed Gratian, and, later on, named, as a distinguished victim of Maximus. (There were not a great many at his disposal; cf. note 92). Nor can it be argued that it would be out of keeping with Merobaudes' policy to desert Gratian (and Valentinian II) for a usurper less amenable to his influence, for that depends on regarding Gratian as little more than Merobaudes' puppet and it takes insufficient account of circumstances which may have encouraged the betrayal.

Another general who may have betrayed Gratian is Nannienus, who after a long and distinguished military career under Valentinian (Amm.28.5.1) and Gratian (id. 31.10.6), turns up as protector of Maximus' son Victor in Gaul when Maximus invaded Italy (Greg. Tours HF 2.9, citing Sulpicius Alexander; cf. n.130).

80. "Purple-clad": Maximus held consulships in 384 and 388. "Misguided trust": clearly not just Gratian's troops, but large sections of the populace of Gaul will have collaborated with the usurper; cf. Introduction. Stories of Maximus' irritation with individual adherents of Gratian (cf. Sulpic. Sev. Dial. 3.11) imply that he had come to terms with all but the most zealous. Pacatus is at such pains to exculpate his fellow-countrymen, whom he claims were misled by Maximus, that an unkind auditor might even surmise that his own conscience was not clear; cf. n.5.

"His kinship... your good-will": the boast would seem to have some justification. Maximus came from Spain (Zos.4.35.3). Not only did he serve with Theodosius' father (in Britain, with Theodosius himself, Zos. ibid; presumably also in Africa, in the war against Firmus, cf. Amm. 29.5.6,21), and not only did Theodosius make special provision for Maximus' family after his death - giving his daughters to a relative to rear, and his mother a pension (Ambrose Ep. 40.32; Ensslin 2546 ; even if Greg. Tours HF 1.45, Life of the Fathers 2 is a pious legend, it suggests that Maximus had at least one daughter) - but the very abuse that Pacatus levels at Maximus at 31.1 itself points to an embarrassingly close connexion with the family of Theodosius; see 31.1 and 43.6.

Sources which say that Maximus was British are confused by the location of his revolt. (e.g. Soc.5.11). His creation of a new province in N. Spain (AE 1960, 158, cf. A. Chastagnol in Les Empereurs romains d'Espagne (Paris, 1965) 285f; PLRE I Maximinus 19) is irrelevant to the question, for he created one in Gaul, too (Maxima Senonia: ILS 6117, 6117a; cf. PLRE I 'Lupicinus' 5).

81. A iustitium, or cessation of public business, might be proclaimed on an occasion of public mourning. Theodosius had good reason for recoiling from a recapitulation of the five year rule of Maximus in Gaul, which at best would merely emphasize his procrastination or inertia, and at worst might suggest collaboration with the usurper. But some such account was all but unavoidable from a speaker who had come from Gaul to congratulate the Emperor shortly after his victory. Clearly Pacatus' safest course was invective against the "tyrant"; some of the fascination of the speech is how much is revealed to us by his need "to set the record straight" for contemporaries.

82. After the desertion of his army (n.79) Gratian fled from Paris towards the Alps with some picked cavalry (presumably his faithful Alani) but the cities on his route denied him admittance (Jerome, epit. 60.15), and he was caught and put to death at Lyon by Maximus' magister equitum Andragathius (Zos. 4-.35.6 calls him _____, Rufinus HE 2.14 "dux") on Aug. 25th, 383 (Fasti Ital.; Chron. Min. I 297; Marcellinus Comes ibid. II 61). The details differ: Socrates 5.11 has Gratian duped by a message about his wife, arrested on the bridge over the Rhone, and killed; the version of Soz.7.13.8 is similar, save that Gratian is killed later on. Ambrose, who was in a better position to know, reports further details, albeit in veiled fashion: Gratian was killed later, at a banquet, treacherously (Comm. in Psalm. 61.23 ff). Maximus later claimed somewhat implausibly that he did not give orders for Gratian's death (Ambrose, Ep. 24.10). Seeck, however, believes on the strength of Comm. in Psalm. 61.25 - "nec Herodes defuit, cui alter Pilatus se placitum credidit, si captum principem destinasset" - that Maximus had intended to send Gratian to

Theodosius, and that Andragathius had exceeded his orders (168; 500 on 168, 5, 7). Again, this depends on the assumption that Gratian was an inoffensive pawn ("ungefährlich", Seeck 168). Usurpers seldom take such chances; even pawns can be useful figureheads.

83. For Italy, see Ch.38 ff. Spain's wounds, inflicted from Gaul, stem from the persecution of the followers of Priscillian (ch.29 below, and notes thereon).
84. There follows a stereotypical diatribe against the tyrant, but it contains some items of historical interest. Such evidence as we have for Maximus' rule in Gaul suggests, as one might have expected, that Pacatus' picture is highly distorted. Orosius, for example, writes (7.34.9) that Maximus was "energetic and upright, worthy of being Augustus had he not risen as tyrant in violation of his military oath", although it must be remembered that he was a fellow-Spaniard and Catholic. What Sulpicius Severus, the biographer of St. Martin, says of Maximus is of great interest; a noble from Aquitania, and a Catholic, born c.360 and writing shortly after 400 in Narbonensis (cf. PLRE 2, 'Severus' 20), he is demonstrably an intelligent and critical observer. But even his views depend on the requirements of context and genre. For example, in his Life of St. Martin Maximus emerges as the tyrant, since for his hero Sulpicius develops the topos of the courageous bishop at court, defiantly asserting the independence of the spiritual power from the temporal when all the other bishops are cowed. Elsewhere, he is usually rather more balanced (except with respect to Martin): "Maximus, in other respects a good man, had been led astray by the advice of priests", after the death of Priscillian, to hunt down heretics in Spain, and to deprive them of their lives and property. Most thought that this was because of his avarice, "for while he was endowed with many good attributes, it was said that he put too little curb upon his avarice" (Dial.3.11). So Sulpicius can be held to confirm Pacatus to this extent, that avarice was commonly thought to be Maximus' chief failing. But then he goes on, remarkably, to excuse this failing, "unless perchance, this was out of necessity of state (regni necessitate), for inasmuch as the treasury

had been exhausted by previous princes of the realm, and he almost always stood in expectation of, or in readiness for, civil wars, he will easily be excused for having exploited any opportunity whatsoever to provide resources for his empire".

As for Maximus' cruelty, Sulpicius reports his defence to Martin (Life 20.3) "that none of his adversaries had fallen except on the field of battle". Ambrose alleged, perhaps somewhat later, that Maximus had been demanding that refugees from Gaul be punished, and that he had been killing prisoners (Ep. 24.11). When pressed by Maximus, he was able to name one victim (n.90), but the debate was acrimonious and Ambrose's charges may have been wild.

85. The victorious Maximus made his headquarters at Trier (Sulpic. Chron. 2.49-50; Greg. Tours HF 1.43), which was where Gratian had his seat. There Martin visited him (Dial. 3.11; Chron 2.50), and Ambrose (Ep. 24.2); there Ausonius appears to have been caught by events (lemma to Epist.20; Matthews, Western Aristocracies 174 n.2).
86. There is much stock invective here, and detailed evidence for Maximus' reign, as I have remarked (n.84), is usually lacking. Pacatus clearly speaks chiefly from the point of view of the propertied classes - men of rank and office-holders. "Ex-consuls" - Merobaudes? (n.79) Paulinus of Nola (suff. cos. c. 378, PLRE 1 'Paulinus' 21)? Paulinus returned to Bordeaux some time after his governorship of Campania (381), and was evidently living there when Maximus was ruler of Gaul. After his brother's murder in mysterious circumstances (Paulinus was suspected) Paulinus himself was in danger, and was threatened with the confiscation of his patrimony to the fisc (Carmen 21.416ff.). The danger passed, but he began to sell his estates for charitable purposes, and became a priest (and bishop). The chronology is not certain; W.H.C. Frend, "The Two Worlds of Paulinus of Nola", in Latin Literature of the Fourth Century ed. J.W. Binns (London, 1974) 106, puts these events in the last years of Maximus' rule; C. Jullian, Histoire de la Gaule, Vol. 7, 293 n.2 thinks Paulinus was saved by Maximus' fall. "The purchaser": the Latin sector implies purchase of confiscated goods at public auction.

87. The Sardinian herb is the *ranunculus*, sour but harmless.

88. One must concede that Pacatus conjures up some vivid pictures in this chapter. Comparison of the rapacious with Charybdis, the whirlpool between Sicily and Italy, was hackneyed - cf. Cic. *Phil.* 2.67 (Antony); Ambrose, *Tobias* 8.31 (a usurer) - but the development of the comparison is, as far as I know, original.

89. The Bessi, from Thrace, were noted gold-miners (Vegetius 4.24), as were the Gallaeci, from Hispania Tarraconensis, Theodosius' native place (Plin. *NH* 33,78). Claudian *Fl. Mallii Theodori Cos.* 40-41 imitates Pacatus.

90. Vallio (or Balio) is known only from here and from Ambrose *Ep.* 24.11 (c.386; the date is linked with that of the trial and execution of the Priscillianists, which it follows - cf. 24 12; see n.93), where he is likewise named as a victim of Maximus when the latter asked Ambrose whom he had put to death. "I did not order him to be killed", responded Maximus. "We heard", said Ambrose, "that such orders were given". "But", said he, "if he had not destroyed himself I had ordered him to be taken to Chalon and there burnt alive". Ambrose replied: "And indeed it was because of this that you are thought to have killed him. Who would suppose he would be spared when such a vigorous warrior, so loyal a soldier and so useful a comes had been slain?" Pacatus' account neatly complements Ambrose's, both confirming an official version of suicide and casting further doubt upon it by adding circumstantial detail.

It is suggested in *PLRE* 1 that, as Merobaudes was Gratian's magister peditum (Amm. 30.5.13, but this was in 375, eight years previously), Vallio may have been his magister equitum (in which case he will have been replaced by Andragathius; cf. n.82).

Demandt, *RE Supp.* 12, 603, infers from this passage that Vallio was not of the same military rank as Merobaudes, and therefore no magister equitum, but probably a comes rei militaris. The inference is not sound, for mention of Merobaudes' "highest

magistracies" (his military magistratus, for which, see n.79) need not imply that Vallio held none.

Nothing is known of Vallio's triumph, but the testimonial of Ambrose makes it plausible.

91. "Wearer of the trabea" or consular robe is particularly appropriate if Merobaudes perished in his consulship. But in 383 or 388? (n.79). If he had perished in 383 why does Ambrose not mention him as well as Vallio, for Merobaudes was surely the more celebrated figure? One possibility is that he was not such a clear-cut victim, that his suicide could not easily be portrayed in Maximus' presence as an enforced one.

If Merobaudes did survive to hold the consulship for 388 (Rossi ICUR I 370, Jan.10, 388 = n.s. II 5996) he did not hold it for long, for from Jan.11 Maximus' name appears instead of his in the western inscriptions (ibid. 371-2, 374-5). We can only speculate about his relationship with Maximus in the period 383-8. It may have been uneasy (Rossi suggests plausibly that it was Valentinian II and not Maximus who nominated Merobaudes and Theodosius for the consulship for 388, before Maximus' invasion of Italy). Merobaudes may have fallen from favour, for example, for opposing the invasion, or he may have been forced to commit suicide because Maximus could not afford to leave him in his rear. There are many possibilities. E. Vetter, "Das Grab des Flavius Merobaudes in Trier", RM 103 (1960) 366-372, sees Merobaudes as a would-be peace-maker, and no betrayer of Gratian (370); B.S. Rodgers, op.cit. (n.79) argues that Merobaudes was acting for the good of the state in betraying Gratian.

Barnes explains "a kind of senate of honours" by suggesting that Merobaudes held the patriciate, op.cit. (n.79) 160. But a third consulship would be sufficient explanation of the phrase.

92. So far it is clear that no strong case has been made for Maximus' cruelty. The death of Gratian was a necessity, and the two victims Pacatus can name he concedes "had stood in Gratian's battle-line" (on

the desertion hypothesis, however, Merobaudes cannot have been there for long) and had been loved by Gratian; see n.80 for Sulpicius' implication that it was only the most obstinate partisans of Gratian who had aroused Maximus' anger. But the issue is complicated by Maximus' involvement, which was not of his making, in the Priscillianist controversy.

93. Euchrotia, wife of Attius Tiro Delphidius (Auson. Prof. Burd. 5;6; Amm. 18.1.4), rhetor, advocate and friend of Ausonius. She was executed by Maximus at Trier with Priscillian and several of his followers (Prosper Tiro, Chron. Min. 1 462, 1187; Chron. of 452, ibid. 1 646; Hydatius, ibid. 2.15; Jerome, DVI 122; Sulpic. Chron. 2.51). The sources give dates ranging from 385-7; for discussion, see H. Chadwick, Priscillian 132 ff., who prefers summer 386 to the date of 384 favoured by Seeck Untergang (192,34). A. Birley, "Magnus Maximus and the Persecution of Heresy", Bulletin of the John Rylands University Library 66 (1983) 30-1, finds a terminus ante quem non of 386 in Sulpicius' V. Mart. 20.4, where Euodius (cos.386) is mentioned as consul in a context which evidently precedes the trial.

The trial goes down in history as marking the first time that a secular authority pronounced the death sentence on a heretic, although technically the charge was "magical practices", maleficium (Sulpic. Chron. 2.50; Chadwick 139 ff).

For the Priscillianist movement in general see Chadwick, op.cit.; B. Vollmann, "Priscillianus", RE Supp. 14 (1974) 485-559; Matthews, Western Aristocracies 160-171; Birley, op.cit.; the anonymous Priscillianist tractates in the Würzburg codex, found in the nineteenth century, are published in CSEL 18 and reprinted in Migne, PL. Supp. 2.1413-1483.

Priscillian had stayed at Euchrotia's estate after being expelled from Bordeaux, and she accompanied him, with some others, to Rome and Milan on his quest to have a proper enquiry into the charges against him (cf. Sulpic. Chron. 2.46-48).

94. Pacatus' tone becomes distinctly ironical. He clearly disapproves of Maximus' role in the affair, but reserves his greatest indignation for the bishops who brought matters to a head (Sacerdos and antistes are used alike of pagan and Christian priest, and Christian bishop) - they are "thugs and butchers". His judgment is shared by Sulpicius Severus, although the latter's language is more moderate. Maximus was "led astray by the advice of priests" (Dial. 3.11.2); "afterwards the Emperor was led astray by the bishops Magnus and Rufus, and deflected from milder counsels" (Chron. 2.50.7).

The chief accuser was Ithacius of Ossonuba (Portugal), whose character Sulpicius paints in unflattering terms (Chron. 2.50.2-3): "I declare that he was a man of no weight, without a touch of holiness; for he was brash, garrulous and impudent; a wastrel, excessively devoted to the pleasures of gullet and belly; his stupidity went so far as to accuse all men, even holy men, who were devoted to reading, or had a disposition to engage in fasting, of being accomplices or proteges of Priscillian". Sulpicius then reveals his most outrageous act: the cursed fellow even dared to bring a charge of heresy against Martin himself ! If Sulpicius' picture is anything like the truth one can see why Ithacius would be unlikely to appeal to cultivated men like Pacatus. Ambrose, likewise, would sympathize with Pacatus' view of the bishops associated with Maximus and the trial (Ep. 24.12: he refused to associate with them on his second embassy, 386(?); Martin also refused initially, until persuaded by Maximus; he later felt pangs of conscience about this; cf. Chadwick, 146-7).

"Excessive piety": Pacatus, of course, provides no clear picture of the doctrinal issues. To put aside the issue of episcopal rivalry, Priscillian got into trouble because of a rigorous asceticism, which laid him open to charges of Manicheism, compounded by an interest in the occult which led to charges of sorcery. His advanced views on the equality of the sexes, and his admission that he prayed naked, and attended nocturnal meetings with women, did nothing to help his cause (Sulpic. 2.50; cf. Chadwick 139 for the likelihood of torture being used to extract these admissions). Protests at the verdict followed (Martin; Ambrose; and perhaps Pope Siricius), but

the vast majority of Gallic bishops supported Ithacius, and a synod in Trier (387?) formally exculpated him from any fault (Chadwick 145).

There is extant a letter of Maximus replying to some enquiries of Pope Siricius (Coll. Avell. 40; CSEL 35.90-91; PL 13.591-2) in which he asserts his great concern for the Catholic faith, as befitted one who "rose to imperial power right from the saving (i.e. baptismal) font itself". He goes on to claim that his arrival and strong action had prevented schism ("ingens profecto divulsio atque perditio") in the church, and concludes by explaining that he would prefer that his Holiness read about the crime of which the Manichees had recently been revealed to have been guilty ("not by doubtful or uncertain suspicions, but by their very own confession") from the reports of the trial, and not his embarrassed lips. It would seem that Pope Siricius had heard disquieting rumours of the trial of the Priscillianists, and sought reassurance (but cf. Birley, op.cit. 37, who suggests that Siricius wrote, perhaps after Maximus gained control of Italy, primarily to solicit a declaration of Catholic allegiance from the latter).

Pacatus puts a sane and level-headed construction upon Euchrotia's behaviour. Galletier (51) not unreasonably likens his attitude of tolerance to that of Symmachus in the Altar of Victory controversy (Relatio III).

The reading probabatur ("proved") has been challenged, and Galletier prints Rhenanus' conjecture exprobratur ("blamed"; "reproached"). Although I concede that the passage is ironical I think the emendation is unnecessary.

"The widow": Euchrotia's husband died in middle age, and was spared the pain of his wife's punishment (Auson. Prof. Burd. 5.35-8); presumably his death occurred before her journey to Italy and made the latter possible.

95. This would seem to confirm Chadwick's belief (n.94) that torture was used, as was normal in charges involving witchcraft (e.g. Paulinus, Vita Ambrosii 20.1.; C.Th. 9.16.8.; a. 358; 16.10.9; a. 385; Amm. 28.1; 29.1-2; Zos.4.14-15).

96. Maximus used his power to protect Ithacius and his allies, and a synod of enquiry at Trier had pronounced Ithacius free of guilt (Sulpic. Dial. 3.11-12). This might well give rise to such expostulations and charges that "this Phalaris numbered (them) amongst his friends". (Phalaris was the tyrant of Agrigentum who roasted his victims in a bronze bull: Cic. Verr. II 4.73; Amm. uses him as symbol of cruelty, 26.10.5; 28.1.46.)
97. The recurrence of the theme is apposite, for at the renewal of the trial of Priscillian after the withdrawal of Ithacius, the first prosecutor, the latter's place was taken by one Patricius, fisci patronus, or advocate of the treasury (Sulpic. Chron. 2.51). We have already noted (n.84) the suspicion that the desire to acquire property lay behind Maximus' despatch of armed tribunes to Spain to hunt down more heretics (id. Dial. 3.11). Certainly many of the accused were noble and wealthy.
98. Maximus would have been outraged at the charge of impiety. He professed to be a staunch champion of Catholic orthodoxy, and defended his action against the Priscillianists on this basis (n.94). Indeed there is no reason to doubt his claim, although it is clear that he was not blind to the political advantages which accrued therefrom in his dealings with both the intolerant Catholic Theodosius and the Arian court at Milan (cf. n.101 and Chadwick 114 ff: "Priscillianism was a godsend to him", 121).
99. For divinely inspired madness as a causal agent in the panegyrics, cf. Pan 9.16.1; 10.12.1, 28.1. It is, of course, very common in overtly Christian writers (e.g. Lactantius, DMP 24.1, 31.1, 33.1 etc).

Pacatus does not gloss over the delay, but he does gloss over the prior relationships between Maximus, Theodosius and Valentinian II. While it suits his purposes admirably to brand Maximus as a treaty-breaker, it would not serve to emphasize that the usurper was accorded any kind of formal recognition. As it happens, our knowledge of the relations between the three Emperors is imperfect,

and Theodosius in particular had good reasons for drawing a veil over his ambivalent conduct. Maximus' imperium lasted from mid-383 to mid-388, so it is clear that, for whatever reason, Gratian's assassination was not swiftly avenged.

According to Zosimus (4.37), after Gratian's death Maximus sent an embassy to Constantinople which proposed a treaty (σπονδὰς), peace and an alliance, and Theodosius actually recognized him as Emperor, while secretly preparing for war.

No other source contains a word of these negotiations, and it is possible that Zosimus is referring to an extended period of time in describing Theodosius' response. The first specific item he mentions, the sending of Cynegius, the praetorian prefect, to Egypt to close pagan temples, to display Maximus' image in public, and to announce that Theodosius was sharing rule with him, may date as late as 386 (cf. Matthews, CR 1974, 101; Paschoud Zosime 425 suggests c.385-6; Vera, "I Rapporti fra Magno Massimo, Teodosio e Valentiniano II nel 383-384", Athenaeum 53 (1975) 279-282 argues for 384).

What of Zosimus' claim that Theodosius secretly prepared for war? Seeck takes this seriously, and, arguing on the basis of C.Th.12.1.107, postulates a meeting between Theodosius and Valentinian II at Verona in late summer 384 (Untergang 197; 513, 18). This has been convincingly rebutted by Vera, op.cit 267 ff: Theodosius would have had to travel 90 Roman miles a day for 15 days. Nevertheless it is clear from Themistius Or. 18 220D-221A (384) that an expedition "to the Rhine" was organized to avenge Gratian and save Valentinian II, and perhaps it was set in motion. If so, we do not know how far it progressed. We hear nothing more of it. Theodosius certainly made no further move westward until 388. Furthermore, certain facts suggest that indeed there was an accord between him and Maximus. Not only is there Cynegius' mission (above), but in 386 the consulship of Maximus' praetorian prefect, Euodius, was recognized in the East (C.Th. 2.33.2; 3.4.1; 8.5.48; 9.44.1; 12.6.21), and coins were issued at Constantinople in Maximus' name (Rev. VIRTUS EXERCITI; cf. RIC 9.233, no. 83d). Maximus reciprocated with coins in Theodosius' name (including a CONCORDIA

AUGGG reverse which imitates an issue of Theodosius from 379-383; RIC 9.25, no. 55a). On the surface, at least, relations seem cordial. While it must be admitted that Theodosius was preoccupied with problems in the East - negotiations with Persia over Armenia continued, and in 386 the Greuthungi invaded Thrace - the avenging of Gratian does not appear to have been high on his list of priorities. But one does not therefore have to entertain suspicions that Theodosius secretly sympathized with Maximus, either because they were related, or companions in arms, or fellow Catholics, or because the usurper had killed the man responsible for Theodosius' father's death, much less to argue that he was privy to Maximus' coup. There were some advantages for him in having a ruler in the West who could hold the Rhine frontier.

To sum up, while it cannot be proved that Theodosius accepted Maximus' offer of a formal treaty, this is certainly not out of the question, and at the very least it would appear that there was a de facto understanding between the two which Maximus violated when he crossed the Alps and invaded Italy. For further discussion, in addition to Vera, see Paschoud Zosime nn.75 and 76 at 4.37, and Matthews Western Aristocracies 177ff. H.R. Baldus, "Theodosius der Grosse und die Revolte des Magnus Maximus", Chiron 14 (1984) 175-192, has recently argued from a series of bronze coins of Theodosius, Gratian (initially) and Valentinian II depicting the Emperor in military garb aboard a ship with dragon's head prow, that Theodosius had planned an expedition to recover Britain from the usurper even before the death of Gratian; the type has usually been interpreted as symbolic.

Maximus' relations with Valentinian II were naturally more bitter, the murdered Gratian being the latter's half-brother, and Italy being more vulnerable to invasion than Theodosius' realms. After Gratian's death there was an understandable fear that Maximus would invade Italy. In autumn 383 Ambrose was sent from Milan to ask for peace and the return of Gratian's corpse (Ambrose Ep. 24,3,9). His embassy crossed with one from Trier likewise seeking peace, but demanding that Valentinian should come to Trier "as a son to his father", a request which was refused (7). Ambrose pleaded the rigours

of a winter journey over the Alps, which won Milan some time, while Bauto hurriedly fortified the Alpine passes. Maximus claimed he had been deceived by Ambrose, and charged Bauto with having loosed barbarians against him (4,8).

Ambrose's second embassy to Trier (after the trial of Priscillian, Ep. 24.12, hence 386; cf.n.93;), still seeking peace, but now "for an equal" (3) reveals that Gratian's body had still not been returned, and that relations were still very hostile - Maximus voiced bitter complaints and Ambrose claims to have called him a "usurper" to his face (10). Clearly, whatever accommodation Theodosius had made with Maximus, the court of Valentinian had not recognized him by 386, and he, on the other hand, had not given up his claim to be Valentinian's adviser (11).

The sources for subsequent events are fragmentary and unsatisfactory. The Gallic Chronicle of 452 records that "Maximus, fearing the ruler of the eastern Empire, Theodosius, concluded a treaty (foedus) with Valentinian" (Chron. Min. 1 646,11), and that it was this treaty which he broke when he invaded Italy (ibid. 648,16). Rufinus (11.15) has Valentinian accept a peace offered by Maximus because he was "terrified by the death of his brother and fear of the enemy", but suggests that both parties were insincere. Zosimus reports that just prior to Maximus' invasion of Italy in 387 Valentinian had sent envoys to Maximus to seek "the security of a more stable peace" (4.42.3), which implies some kind of modus vivendi already existed. But there is little to show for such a treaty, or peace, in the documentary sources. Certainly Maximus' name appears occasionally on inscriptions in Valentinian's territory with those of the other rulers (Africa: ILS 787; Ostia: CIL XIV 4410). But neither Valentinian's nor Maximus' coinage acknowledges the existence of the other.

"Fetial law": this archaic law regulated Roman conduct, sanctioning only declarations of "just" wars consequent upon some provocation, and the failure of the offender to give satisfaction (see Livy 1.32. 5-14). Clearly Maximus failed to satisfy its provisions, but, then, it apparently had not been invoked since Marcus Aurelius ostentatiously did so in 178 (Dio 71.33.3). Pacatus would not dream of subjecting Theodosius' practice to a similar scrutiny.

100. Pacatus seems both to retreat from the claim that there was a formal treaty ("nominal peace") and to suggest that Theodosius would not have moved against Maximus had he not invaded Italy - perhaps rightly, although he would attribute this to Theodosius' mercifulness.
101. His first crime was his usurpation and murder of Gratian (383), the second the crossing of the Cottian Alps and invasion of Italy (387), and the third the passage of the Julian Alps and offensive against Theodosius (388), as the context makes clear. Vera's interpretation (op.cit 299) of the second as a "tentativo di aggressione" in 384 is strained and unsatisfactory (Paschoud Zosime.434); Vera's article is stimulating but he is inclined to attach too great weight to some flimsy sources.

Maximus, who as we have seen had evidently been accumulating resources for the purpose, crossed the Cottian Alps in 387 and invaded Valentinian's territory. Why did he strike when he did? A reading of Zosimus 4.42 suggests that he simply exploited an unexpected opportunity, although some have found the story incredible. Zosimus reports that Valentinian had sent ambassadors from Aquileia to Trier to secure a more stable peace. Upon hearing that Maximus desired the same, he followed up the matter by entrusting the arrangements to a confidant, one Domninus, who was promised the aid of some of Maximus' forces to beat off the barbarians attacking Pannonia. According to Zosimus, Maximus crossed the Alps peacefully with the whole of his army in the wake of the unsuspecting Domninus.

Certainly the government of Valentinian was particularly vulnerable at the time. Pannonia had been overrun; major cities had been devastated (Mursa; Maximus' letter to Valentinian, Coll.Avell. 39, CSEL 35.1 90; PL 13.593; cf. C. Th.1.32.5 (29 July 386) for insecurity in Illyricum). Its best general, Bauto, was evidently dead (cf. Stein-Palanque op.cit. 204-5; PLRE 1). It was also racked by religious controversy, as Valentinian's mother Justina pushed the claims of her Arians. Maximus had focussed on Milan's deviation from the Catholic faith in his propaganda (Letter to Valentinian, op.cit. "What could be more devoutly wished for by an enemy than

that you sin against the churches of God?", he writes. (I paraphrase) "As a friend, I advise you to hold to the faith of your fathers. Look what has happened to Arian Illyricum, and Mursa!". This duly appears in the histories and chronicles as his pretext for invasion; cf. Theodoret 5.14: Maximus sent despatches urging Valentinian to stop his campaign against true religion (5.13 describes the siege of the basilica) and threatening war if he disregarded his advice; the Gallic Chronicle of 452 reports that Maximus found an opportunity for breaking his treaty with Valentinian in the unworthy condition of the church; so, too, Rufinus HE 11.16, mentioning the machinations of Justina and the undermining of the statutes of the Catholic church (but not the treaty); cf. also Soz.7.13.

It is conceivable that Maximus had heard that Theodosius was making preparations against him (Zos.4.39.5; 386; cf. Matthews, Western Aristocracies 181) and was hoping to confront him with a fait accompli. But it is more likely that he had despaired of receiving formal recognition as Valentinian's superior from Theodosius, and, seeing his chance, decided to settle the matter by force.

We do not hear of any opposition to Maximus' invasion. It was evidently totally unexpected. The Court fled immediately from Aquileia (whither it had advanced to monitor the situation in Pannonia) to Thessalonica, and sent to Theodosius for help (Zos.4.43.1-2).

The date of the invasion was probably early summer, 387. (Zosimus narrates it after the sedition in Antioch, Jan.- March, 387. Valentinian was still in Milan on May 19, 387; C.Th.11.30.48; cf. Seeck, Untergang 519 on 209.2, arguing that C.Th. 6.28.4 from Milan, Sept. 8, 387, is actually a law of Maximus.) Maximus' rule in Italy lasted about a year (Sulpic. Vit.Mart. 20.9 - annum fere; cf. Zos.4.44.4) and he was dead by late July or August, 388 (n.145).

Maximus evidently still hoped for a rapprochement with Valentinian; at any rate, the Feriale of Capua (ILS 4918; 387) suggests that Maximus had given instructions for Valentinian's natalis imperii to be celebrated in Capua on 22 Nov. (387); Seeck, Untergang 520 on 209.2.

Upon the arrival of the embassy from Valentinian at Constantinople a meeting of the senate was held, after which Theodosius decided to go to Thessalonica with some senators (Zos.4.43.2). There, a final debate was held, and it was unanimously resolved to punish Maximus for his crimes (43.3). But this was a debate amongst the senators, for Theodosius distanced himself from the resolution, pointing out the evils of civil war and arguing for an embassy to be sent, and if Maximus agreed to hand back Valentinian's territory and keep the peace, that power could be divided amongst them "according to the former arrangement" (κατὰ τὸ πρότερον σχῆμα ; Zos.4.44.1). Against this, we are told, none of the senators dared speak. Zosimus puts Theodosius' hesitation down to his natural pusillanimity, and claims that Theodosius finally undertook the war because it was only on that condition that Justina would consent to his marriage with her beautiful daughter Galla. Theodosius was recently widowed (in 386; cf. Seeck, Untergang 521 on 210, 34; Paschoud, Zosime 437), and the story is not incredible. Some have suspected a quid pro quo: Theodosius obliged Justina and Valentinian to renounce their Arianism in return for his support (Birley op.cit. (n.93) 36; Stein-Palanque op.cit. 205, on the basis of Suidas, Οὐαλεντινιανός). But other factors must surely be admitted, such as Theodosius' reluctance to subject the Empire to civil war, particularly as his adversary was orthodox (Theodosius wrote to Valentinian after his flight from Maximus to the effect that Maximus' victory was not surprising: "you have been fighting against piety, he for it"; Theodoret 5.15; cf. Zonar.13.18).

Theodosius was still in Constantinople on July 6, 387 (C.Th. 12.1.118). By Dec.31 his presence is recorded at Thessalonica (C.Th. 1.32.6). Presumably he travelled there in the autumn to join Valentinian and his family. He was still in Thessalonica on 30 April, 388 (C.Th. 9.11.1) and moved west only in May or June (cf.n.115).

102. In the following campaigning season, in 388 (exact date unknown), Maximus again took the initiative and crossed the Julian Alps into Illyricum, reaching Siscia and establishing himself there before Theodosius' forces engaged him (see Ch.34.1-4). Although

Theodosius' preparations were painfully slow, there could surely be no doubt now that he was planning to fight, so Maximus presumably wished to seize as much territory as he could before the conflict.

The "guarantee of pardon" was certainly kept open after Maximus' invasion of Italy (cf. Zos.4.44.1, cited above, n.101), but clearly Maximus was not going to avail himself of it.

103. Cf. Herodotus 4.1-4 for the story; Justin 2.5; Claudian In Eutrop. 1 505ff.
104. Stock invective, and contradicted by "client" below, which may be closer to the truth, but I believe not the whole truth (cf.n.80). Perhaps not coincidentally, Ausonius, Ord. Urb. Nob. 70, or 9.7, calls Maximus a lixa ("waiter") posing as a soldier, in a poem which was originally planned (and written?) before Maximus' fall (cf. 60, or 9.1). For lixae see RE 13 (1926) 929-30 (Grosse). Theodosius refers to Maximus as a slave (δούλος) in a letter to Valentinian (Zonar. 13.18 cf.n.101).
105. Pacatus exaggerates, for the identity of Maximus' uncle was known (Sulpic. V.Mart.20.4).
106. Cf. Pan.9.4.3-4 for a similar contrast between legitimate ruler and usurper (Constantine and Maxentius). Note the emphasis on unanimity in the choice of Theodosius, a claim as conventional as it was untrue (cf. Augustus, Res Gestae 34.1; Tacitus, Histories I.15 - speech of Galba).
107. Theodosius' preparations were so thorough and long drawn out, in fact, that Maximus could march into Pannonia and fortify Siscia before encountering him. Pyrrhus and Hannibal were often cited as threats to Italy which materialized (cf. Cic. Phil 1.11, Florus 2.12.1), Perseus as a potential one (Livy 42.25.2ff; Tac. Ann.4.55).
108. Galletier (98 n.3) suggests that this is an allusion to the Saraceni, who lined the Roman frontier between the Euphrates and Arabia

Petraea (citing Amm.14.8.5). This is possible, although we do not hear elsewhere of such pledges, and when the Eastern frontier is mentioned, one thinks first of Persia. Now in 386 or 387 an embassy came from Persia, apparently to renew the agreement of 384 (n.73) upon the accession of a new ruler (Vararanes IV, replacing Shapur III); cf. Seeck, Untergang 453 on 69.21 and N.H. Baynes, Byzantine Studies 207 and n.112 ("Theodosius needed peace in the East for his campaign against Maximus"). He paid a high price; Armenia was partitioned, and the Roman protege received only a fifth of the country.

109. Pacatus is our only source for this, and he discloses no details (cf. 40.3). Perhaps, as Seeck suggests (211), Theodosius did this to facilitate provisioning, which was a problem (cf. 32.5). 33.4 seems to preclude a reference to Theodosius' navy, which was evidently used to convey troops to Italy to take Maximus in the rear. Maximus' general, Andragathius, had to weaken the defence of the Julian Alps and take to the sea to meet this threat (Oros.7.35.3-4; cf. Zos.4.46.1-2). Zosimus asserts that Andragathius was sent to pursue Justina, Valentinian and one of her daughters, who had been sent by sea to Rome under escort by Theodosius, who believed they would be well received because the Romans had been alienated from Maximus. But one does not send one's commander-in-chief on such a mission with a major engagement looming, and I find it difficult to believe that the cautious Theodosius would risk having members of the imperial family fall into Maximus' hands in this way (contra, Seeck, Untergang 523 on 211.29; Paschoud, Zosime 441, n.191). Ambrose does refer to Maximus' unpopularity at Rome when he wished to punish those responsible for burning down a synagogue (Ep. 40.23), but this is hardly a balanced appraisal. I suspect the imperial family arrived after Maximus' defeat. In any case Andragathius failed to intercept Theodosius' ships, and Ambrose mentions a defeat of Maximus in Sicily (ibid).
110. Cf. Zos.4.39.5 for Theodosius freeing captive Greuthungi (Ostrogoths) and loading them with gifts that they might prove

useful in the war against Maximus. We may surmise that such men did fight for Theodosius.

At 4.45.3 Zosimus reports that Maximus succeeded in inducing sections of Theodosius' barbarian forces to revolt, but that the latter learnt of this and bloodily repressed them. Such occurrences would give added strength to criticism of Theodosius' policy towards barbarians (cf.n.67). And, of course, it is precisely this kind of criticism which leads Pacatus to extol barbarian loyalty and zeal at such length. Maximus had already upbraided Valentinian for using barbarians under the Frankish general Bauto against him some years before (Ambrose Ep.24.4,8), and this passage strongly suggests that he had made good use of the same charge against Theodosius, and that it still stung.

111. Timasius, magister peditum, and Promotus, magister equitum (Zos.4.45.2), and under them the Franks Richomer and his nephew Arbogast ("στρατηγοί" Philostorg. HE 10.8; Zos.4.47.1). Timasius and Promotus had distinguished careers; both were consuls in 389, the reward for their success, but came to untimely ends. Paschoud, Zosime, 439-440 wishes to invert their posts on the basis of C.Th.4.17.5 (23 March, 386), which addresses Timasius as magister equitum, and Zos.4.35.1, 38-9, which describes Promotus' campaigns in Thrace as magister peditum in 386 (so, too, Demandt, "Magister militum", RE Supp. 12 (1970) 553-790, 713-715). Were such commands really so specialized that one cannot contemplate such a switch?
112. Probably just a general reference to the devastation after Adrianople (the three barbarian nations mentioned next are those listed at 11.4 in the context of Theodosius' accession in 379) rather than a precise one to the more recent invasions, 386-7, mentioned in Zos.4.42.5 (n.101 above).
113. Cf. Ambrose Ep.40.22 for a dearth of grain, which Ambrose implied was solved by taking over the granaries held by the enemy (presumably at Siscia; cf. 34.3 and n.116). This suggests that

Theodosius' preparations were not as thorough as Pacatus maintains (32.1).

114. The contrast between the Egyptian troops of Cleopatra at the battle of Actium and Theodosius' barbarian troops is very contrived, so much so that Galletier is uncharacteristically confused (100 n.3: "Cette comparaison prolongée entre les adversaires d'Auguste (illos) et ceux de Theodose (hoc)..."). But the whole passage, and especially its climax, that in the one case barbarians sought to undermine the liberty of Rome, in the other to reclaim it, effectively distracts the reader from asking, if Theodosius led a barbarian army, whether Maximus did not have the better claim to be serving Roman interests.
115. Pacatus is our chief source here, for Zosimus omits this part of the campaign. Theodosius' itinerary, however, can be plotted from the laws in C. Th.: 30 April, 388, still in Thessalonica (9.11.1): 14,16 June, at Stobi (16.5.15; 4.2); 21 June, at Scupi (12.1.119).

Pacatus omits the naval operations, of which Zosimus 4.46.1-2 and Orosius 7.35.3-5 give a sketchy idea. These help explain Maximus' problems on land. His commander in chief (Oros.), Andragathius, who had fortified the passes of the Julian Alps, was recalled by Maximus (who had apparently stayed behind at Aquileia; Oros.7.35.3) in order to intercept a naval contingent of Theodosius making for Italy (cf.n.109). But his troops had pressed on and actually occupied Siscia itself (cf.34.2; gates opened), and were prepared for a siege (ibid. ditches; stakes: cf. Oros. 7.35.3). Seeck accounts plausibly for the swiftness of the victory by postulating that it was won by the Hunnish contingent in Theodosius' army (32.4), whose fine horsemanship facilitated the crossing of the Save, and whose appearance terrified the western army of Maximus, which was unused to them (cf. Amm.31.12). The absence of their commander would not have helped.

Ambrose Ep. 40.23, who lists places where Maximus was defeated, is the only other source who mentions Siscia and Poetovio.

116. For the phrase ipsum illum vexillarium sacrilegae factionis cf. Pan. 4.15.5 (ipse ille ... signifer nefariae factionis) and 16.4 (ipse vexillarius latrocinii; Pacatus has used the image vexillum latrocinii civilis at 30.2). Pacatus at this point is borrowing heavily from Nazarius (see 10.30.1 for another corpse-filled river, the Tiber in 312).

The identity of this "standard-bearer" is a mystery. B. Rodgers has suggested to me that he may have been Euodius, the praetorian prefect. This is certainly possible, for while at first glance one might think that a military commander is meant (and praetorian prefects in this era normally do not have military expertise) vexillarius is surely used metaphorically and it is by no means unlikely that some of Maximus' higher civilian officials accompanied his army and were caught up in the fighting. Tillemont's suggestion, Maximus' uncle (Sulpic. V. Mart. 20.4), is implausible, for Pacatus would surely have mentioned the relationship (so Galletier 101 n.2). The death was a celebrated one, for Socrates 5.14 and Sozomen 7.15. have Andragathius perish in a river, mistakenly; he threw himself into the sea upon learning of Maximus' death (Zos.4.47.1; Oros.7.35.5; Claudian IV Cos. Honor. 91-2).

117. At Poetovio (modern Ptuj, formerly Pettau), since Diocletian's day in Noricum, not in Pannonia (Saria, in RE 21 (1951) 1174); cf. Ambrose Ep. 40.23; it lies north west of Siscia. The battle was fought in summer (35.2).
118. He was Maximus' "right hand man" (cf. Ambrose Ep. 24.9), his comes (Sulpic. V. Mart. 20.4; 386). He was living in Valentinian's territory when Maximus was proclaimed Emperor (PLRE I Marcellinus 12) for he was there when Gratian's death was announced (cf. Ambrose, ibid.; contra, Matthews, Western Aristocracies 180-1 and n.6). He was allowed to return to his brother unharmed. He suggested dismissing some of Symmachus' agents (Symm. Ep. 2.31).

Megaera: cf. Vergil Aen. 12. 845 ff; one of the Furies, she appears at Jupiter's throne to presage the end of the war. More often used of savage women: Amm.14.1.2 (Galla).

119. Cf. Nazarius 18.2.
120. Here begins a real set piece. The battle was clearly a hard fought one: this was the core of Maximus' army, and there was no real resistance in Italy (n.121). If Maximus hoped for reinforcements from Gaul, invasions of Franks and Saxons put paid to that (Greg. Tours HF 2.9, citing one Sulpicius Alexander; Ambrose Ep. 40.23). We are given little historically authentic information. Orosius, speaking of the whole campaign, claims that Theodosius had vastly inferior forces (7.35.2). Pacatus' description is full of conventional details, and is at some points anachronistic ("cohorts arranged by maniples"; cf. Vegetius 2.13f: "the ancients" did it this way). He employs many terms used by Vegetius, presumably with little application to the battle in question; e.g. quadratae legiones; cf. Veget.1.26; punctim caesim at 36.1; cf. Veget.1.12, where the words are contrasted. Other phrases are taken from Nazarius (36.1: acies fronsque laxata; cf. Naz.28.3).
121. The propaganda here is paradoxical, considering how much effort Pacatus has put into describing the role of barbarians in Theodosius' army.
122. Ljubljana, on the Save, in Slovenia, south-west of Poetovio (Herodian 8.1.4: "the first city of Italy as you come from Illyricum" - but it lies east of the Julian Alps). Theodosius now makes for (modern) Italy by the shortest route. Emona's capitulation opened up the road to the Julian Alps. Seeck remarks (Untergang 215) that the fleeing troops of Maximus must have been pushed sideways from their natural retreat for the Alps to have been left open as Orosius reports (7.35.4).

"Your arrival": an adventus, a feature of many panegyrics, indeed, an important part of imperial ceremonial. Cf. Sabine G. McCormack, Art and Ceremonial in late Antiquity (Berkeley, 1981), Part 1, "Adventus"; ead., "Change and Continuity in late Antiquity: the Ceremony of Adventus", Historia 21 (1972) 721-752; cf., too,

Theodosius' entry into Rome (47.3, below); Pan. 10. 31-32, Constantine in Rome; Pan. 2. 10-11, Diocletian and Maximian in Milan.

123. "Velut illa civitas a longa obsidione respirans" - a figure of speech. As Pacatus soon makes plain ("had worn it down like a threshold of war") Emona had not closed its gates to Maximus, but had been used by him as a base. Galletier, however, takes the phrase literally, translating: "thus the city breathed again after a long siege". There is no external evidence.

124. "Hic tibi triumphum chorus, ille contra tyranno funebres nenas et carmen exsequiale dicebat". The implication of mourning is odd. If the dirges were sung in mockery Pacatus does not make this clear: while nenias might invite this interpretation, it is qualified by funebres, and carmen exsequiale seems plain enough.

125. The priests were pagan. At Rome, flamines and pontifices wore the apex or conical hat with spike, which is often depicted on coins (e.g. of Caesar, M.H. Crawford, Roman Republican Coinage, no.443; Antony and Lepidus, no. 489/1 and 2.) For the flamen, cf. K. Esdaile, "The apex or titulus in Roman art", JRS, (1911) 212-26.

126. For the phraseology, cf. Pan. 4.16.2.

Orosius 7.35.3 claims that Maximus stayed in Aquileia, and left the command to Andragathius, and it is to be noted that this is Pacatus' first mention of Maximus himself in his description of the final campaign. Is this vivid account of Maximus' flight a complete fiction? Quite possibly, but not necessarily. After Andragathius' departure to take over the fleet (n.115) Maximus may well have advanced over the Alps to Emona (Orosius' account is very brief and selective); Claudian IV Cos. Hon. 76-80 does not help. Grinda op.cit. has Maximus besiege Emona unsuccessfully, but a long siege is out of the question because of the rapidity of the whole campaign, and inherently implausible.

127. Ambrose Ep. 40.22 suggested that Christ must have "bound" Maximus' mind so that when he had an opportunity for escape he failed to avail himself of it. Gregory of Tours reports that in his (lost) *Histories* Sulpicius Alexander told "how Maximus, with all hope of imperial rule lost, shut himself up in Aquileia as if out of his mind (amentem)".
128. Heavily ironical; cf. 29.3 and n.94.
129. Maximus was recognised in Africa, along with Valentinian, Theodosius and Arcadius (CIL VIII 11, 025 = ILS 787) and with his son Victor alone (CIL VIII 22, 076).

This suggests that the comes Africae Gildo had not remained loyal to Theodosius and Valentinian. The notion of Gildo's disloyalty has been challenged by S.Oost, "Count Gildo and Theodosius the Great", CP 57 (1962) 27-30, but trenchantly reaffirmed by Alan Cameron, Claudian: Poetry and Propaganda at the Court of Honorius (Oxford, 1970) 103-5. P.Lips. I.63 (14 June, 388) refers to forces sent by Theodosius from Egypt to Africa, presumably against Gildo, at precisely the time he was moving west against Maximus.

To what extent the famines in Rome in the 380s can be attributed to the political situation, and specifically to the activities of Gildo in withholding grain, is uncertain. Symmachus Ep. 2.6 (383?) mentions the diversion of a grain fleet from Africa away from Rome. Was the African government equivocating after the death of Gratian? (cf. Seeck, Symmachus MGH 6, CXIX-XX; J.R. Palanque, "Famines à Rome à la fin du IV^e siècle", REA 33 (1931) 346-56; H.P. Kohns, Versorgungskrise und Hungerrevolten im spätantiken Rom (Bonn, 1961) esp. 42ff.). Imported grain from Africa was still vital to Rome in this period (v. Kohns 42 and G.E. Rickman, The Corn Supply of Ancient Rome (Oxford, 1980) Ch.8.)

Pacatus seems to borrow his phraseology from Pan. 9, as often (cf. 9.16.1, and Introduction; also Nazarius 32.6-8).

130. Rhetorical; this was perhaps his best chance, if he could reach it. His young son Victor was there, at Trier, under the protection of the experienced generals Nannienus and Quintinus (cf. PLRE 1). But about this time the Franks invaded Roman Germany (i.e. the left bank of the Rhine), and after an initial success the Romans were defeated in "Francia" (across the Rhine) with heavy losses; Greg. Tours HF 2.9, quoting Sulpicius Alexander, Bk.3; cf. Ambrose, Ep. 40.23).

131. Pacatus speaks as if Maximus had not been in Aquileia before, but cf. n.126.

132. i.e. the triumphal parading of Maximus before Theodosius' troops (v. below, 40.1, 43.2ff).

133. Grinda suggests there is a pointed allusion to the Altar of Victory dispute, 382-4; if so, not one that Pacatus would care to spell out.

134. From Emona to Aquileia is a distance of about 55 miles, and the Julian Alps intervene, so for a whole army to cover this distance in a day is incredible, although Galletier is not impressed by the achievement (57, n.6)! Picked troops might have managed the feat, if they could have been sure that the way was clear, although Seeck asserts that not even the Hunnic cavalry could have managed it (Untergang, 524, on 215.9). The latter attributes the claim to the Gallic rhetor's ignorance of Illyrian geography; better, panegyrist's licence? At any rate one may concede that the chase was swift.

135. Conjuring up a rather implausible picture of our cultivated rhetor hob-nobbing with Theodosius' barbarous soldiery at banquets!

136. Cf. Valerius Maximus 1.8.1, (who follows Cicero, Nat. Deor. 2.2.6) and especially Florus, 1.28.14-15, whose phraseology Pacatus echoes (cf. "pulverem et cruorem abluebant") although he changes Lake Juturna to the Tiber. The Dioscuri are also evoked by Nazarius 15.4ff.

137. For laminae, sheets of metal, as torture, cf. Cic. Verr. 2.5.163; Plaut. Asin. 548. For instruments of torture in general, see J. Vergote, "Les principaux modes de supplices chez les anciens et dans les textes chrétiens", Bull. de l'Inst. hist. belge de Rome 20 (1939) 141-163; id. "Folterwerkzeuge", RAC 8 (1972) 111-141. For a broad discussion of the application of penalties, see P. Garnsey, Social Status and Legal Privilege in the Roman Empire (Oxford, 1972), esp. Part II, "The Dual-Penalty System".
138. Cf. Allecto in Aeneid 7, esp. 448-50.
139. Valentinian II was his half-brother, Theodosius a "brother" by virtue of his marriage in 387 to Valentinian's sister Galla, Gratian's half-sister.
140. There are differing accounts of Maximus' capture at Aquileia. Zosimus claims that part of Theodosius' army stormed the city, overcame the tiny garrison and snatched Maximus from the throne (4.46.2). Orosius asserts bluntly that Theodosius "shut up, captured and killed Maximus, that great enemy, without treachery and without a contest" (7.35.4). Socrates, on the other hand, has Maximus' troops bind and deliver him to Theodosius, who caused him to be put to death (5.14); he is by no means reliable, for he locates the event at Milan (5.12). Sozomen has Maximus seized and slain by his own men, a variation of the preceding (7.14). Pacatus, in having Maximus give himself up, may be speaking metaphorically.
141. For the generals, see n.111. It was Arbogast who actually effected his capture (Oros.7.35.12).
142. For the formal stripping of Maximus, see, too, Zos.4.46.2; Philostorg.10.8.
143. Zosimus (4.46.3) claims that Theodosius reproached Maximus before having him led away to execution, but does not say with what.

Pacatus' repetition of Maximus' embarrassing claim to have Theodosius' support suggests that it was still widely believed, and needed refutation - as, of course, does the whole story of the extraction of the confession, whether true or not; cf.n.80.

144. i.e. Maximus' heart.

145. Grinda is prepared to believe this; he supposes that Theodosius was weakening, but that Valentinian and his advisers insisted on the execution. Zos.4.46 says nothing of this hesitation, but one would scarcely expect him to. Pacatus' version is not incredible, but such sentiments do not accord with his sending Arbogast to hunt down and kill Maximus' young son Victor (Zos.4.47.1; Chron.Min. 1.245; 298; 462; 2.15; Greg. Tours HF 2.9).

Maximus' interrogation and execution took place three miles from Aquileia at Theodosius' camp; Chron Min. ibid. (except 1 298). He was beheaded (Philostorg.10.8; Claud. IV Cons Hon. 85; Olympiodorus frag. 20.1 Blockley = FHG 19).

The date is variously given by the sources as 28 July (Const.Const., Chron Min. 1.245; Fast.Hydat. ibid. II 15) and 28 August (Socr.5.14; Fasti Ital. Chron. Min. 1.298). O. Perler, Les voyages de Saint Augustin (Paris, 1969) 197-203 argues for 28 July on the basis of the movements of St. Augustine (cf. Chadwick op.cit. 122 n.3).

146. Pacatus imitates Pan. 6.20.4.

147. Pan. 2.4.2-4 celebrates the labours of Hercules; for the triumphs of Bacchus cf. Val. Max.3.6.6; for the "snake-footed monsters" cf. Ovid, Met. 1.182-4 and Pan. 3.3-4.

148. A Vergilian reminiscence (Aeneid 2, 557f).

149. Pacatus ignores Valentinian II.

150. Galletier translates "pourtant il importe à la sécurité intérieure et à la sécurité extérieure" and adds a note defending the MS reading geminam. But Pacatus talks only of internal matters. A better explanation of the term is that he is thinking both of the present and the future. Revolution has been proved impossible in the present, and the publicizing of that lesson should deter would-be usurpers for the future, thus providing "two-fold" security for the state. Haupt's emendation genuinam (Hermes 8.1874, 247) "real", "genuine", is otiose.

151. Pacatus glosses over the fate of Victor (n.145). For the phrase ipsius victoriae victor cf. Pan. 9.21.2.

152. Maximus' Moorish cavalry, which had been the first to desert Gratian for the usurper (n.79).

153. Maximus' generals. We hear only of the fate of Andragathius, who drowned himself after hearing of his emperor's death (Zos.4.47.1; Oros.7.35.5).

154. C.Th. 4.22.3 (Trier; 14 June, 389) probably refers to the confiscation of the property of Maximus himself, rather than implying a widespread proscription, as Grinda believes; cf. Seeck, Untergang 530, on 227.16. Thus it confirms accusations that Maximus accumulated property (cf. 24.6 ff and nn.84,86).

155. Either artfully worded, or simply untrue, for certain acts of Maximus, including honours conferred, were annulled (cf. C.Th. 15.14.6-7; Aquileia and Milan; Sept.22, Oct.10 388, for Italy; C.Th. 15.14.8, Milan, Jan.14, for Gaul).

156. Orosius (7.35.7-8) praises Theodosius' clemency, evidently with some justification; Symmachus, for example, was pardoned for his panegyric on Maximus (Soc.5.14; cf. n.5), and became consul for 391. But Maximus' supporters were scarcely favoured; cf. Matthews, Western Aristocracies 231 and n.2 on Symm. Ep. 3.81. It

is not clear whether Ambrose's requests for the pardon of those in exile or prison, or under threat of the death penalty (Ep.40.25) embraced any of Maximus' supporters.

157. Pacatus seems to have been well informed about Theodosius' attitudes. Another contemporary writes: "(Theodosius) was clearly intelligent, and very keen to familiarize himself with the exploits of his ancestors; and of them he did not cease to execrate those about whose arrogant and cruel deeds, so destructive to liberty, he had read, such as Cinna, Marius and Sulla..." (Epit.48. 11-12).

While there are few verbal echoes, Pacatus could have gleaned the material which follows from the exempla of Valerius Maximus. He also draws upon Pan.9.20.3.

158. Emathia, a part of Macedonia; an allusion to Philippi; cf. Verg. Georg.1 489-92; Lucan 1.1. The river Allia, a small tributary of the Tiber north of Rome, was the scene of a frightful disaster to the Romans in 390 BC at the hands of the Gauls (Val.Max.9.11 ext.4; cf. Livy 5.37-9). The Colline Gate was the scene of Sulla's final battle; cf. Pan.9.20.4..
159. Normally, of course, an execrable act; cf. Ammianus' criticism of Constantius II for celebrating a triumph at Rome for his defeat of Magnentius (16.10.1-3).
160. Theodosius entered Rome on 13 June, 389 (Cons. Const. Chron. Min. 1,245; Fast. Ital. ibid 1.298 cf. Marcellinus, ibid. II 62).
161. "Unpretentious" renders civilis. For the tradition of the princeps behaving like a citizen (civiliter) at Rome, see J. Straub, Vom Herrscherideal 186-8 and A. Cameron, Claudian 382-3. Exemplary is Trajan's entry into Rome as described by Pliny, Pan. 22ff. Diocletian apparently failed to live up to Roman expectations in this respect (Lact. DMP 17.2). Constantius II, whose solemn and dignified adventus so impressed Ammianus, nevertheless conformed to the tradition (Amm. 16.10.13), and according to Claudian

Honorius did so too (VI Cos. Honor. 543ff.). Constantius and Honorius, like Theodosius, are said to have addressed the people as well as the Senate (Amm. ibid.; Claudian ibid. 587ff).

162. The phraseology here owes something to Pan. 4.5.4.
163. Whether Pacatus in fact returned to Gaul is not known; presumably he did. But C.Th. 9.2.4 shows that he was already in Africa as proconsul by Feb.4, 390 (cf. Introduction).
164. Cf. Pan.3.11.4.
165. Honorius, Gratian and Valentinian II respectively.

Appendix

The Career of Count Theodosius according to Pacatus 5.2

Quae Rhenus aut Vachalis vidit adgrediar? Iam se mihi Sarmatica caede sanguineus Hister obiciet. Attritam pedestribus proeliis Britanniam⁺ referam? Saxo consumptus bellis navalibus offeretur. Redactum ad paludes suas Scotum loquar? Compulsus in solitudines avias omnis Alamannus et uterque Maurus occurrent.

⁺Britanniam w : Bataviam M (Mynors)

In a recounting of exploits, even in a panegyric, one would normally expect chronological ordering. But here the speaker professes to be overwhelmed: he does not know where to begin; images crowd upon him. There is no guarantee, then, that the arrangement will be chronological - or even geographical. But the passage is not a farrago; it has a carefully wrought rhetorical structure. The speaker essays three starts; immediately alternatives present themselves, viz:

1. Rhine/Waal - Sarmatia/Danube
2. Batavia⁺ - Saxon
3. Scot - Alamann/Moor

What is the association of thought? In (1) rivers suggest another great river; in (3) swamps suggest other pathless wildernesses. (2) is different, an association of opposites, infantry battles suggesting naval ones. Perhaps the process was aided by an association of time and place, i.e. that adversaries were beaten on land and sea in the one campaign. (Or even the same adversary? P. Bartholomew, "Fourth Century Saxons", Britannia 15 (1984) 169-185, at 183, suggests that the point of the contrast is the variety of military successes against the Saxon. He may be right, but Pacatus does not make this explicit.)

But where were the battles on land? All recent editors (Mynors, Galletier, Paladini), following earlier ones, print Britanniam. PLRE I,

Theodosius 3 accepts the reading, but refers the whole section "shall I recall... into his own swamps" to Theodosius' campaigns in Britain, thus ignoring the antithetical structure of the passage. But all the manuscripts read Bataviam (as Bartholomew points out, *ibid.*). The reading Britanniam comes from 'w', the anonymous humanist corrector of Vaticanus lat.1775 (in the X I Italian family of manuscripts, the inferior branch of the stemma: see Mynors, Praefatio). With what justification, if not from the manuscript? Presumably historical. Every reader of Ammianus knows that Theodosius made his name in Britain, and won promotion to magister equitum (West) as a result. (cf. Amm.28.3.9). Would it not then be inconceivable for this to be left out of a catalogue of his exploits? Pacatus may not intend to be comprehensive, but one would expect him to recall the memorable. But rather than play down Theodosius' achievements in Britain (as does Bartholomew, op.cit., esp. 177 ff) it may be that reference to them does not depend on reading Britanniam (see below).

While it is true that no other source notes campaigns of Theodosius in Batavia, it was the venue for recent campaigns against the Saxons (e.g. by Julian in 358, according to Zosimus 3.6-8.1; cf Paschoud n.15 ad loc.), and in 370 a seaborne Saxon force perhaps landed there before marching south to engage the Romans across the frontier in northern Gaul (Amm.2.8.5.1 ff); cf. Jerome Chron. a.374; Cassiod. Chron. a.373), so its claim is not implausible.

Thus it is the mention of infantry battles in Batavia that brings to Pacatus' mind naval battles against the Saxons.

What were the latter? Claudian (IV Cos. Hon. 30-31) recalling to Honorius the exploits of his grandfather, mentions the Orkneys in connexion with the Saxons (and Thule in connexion with the Picts), and there seems no reason not to accept this as a genuine glimpse of the campaign. Amm.26.4.5 (c.364/5) writes that Picts, Saxons and Scots and Attacotti troubled the Britons continuously hoc tempore. I think Tomlin is probably right to conclude ("Ammianus Marcellinus 26.4.5-6", CQ 29, 1979, 470f.) that this means during the whole of Valentinian I's reign, so that the first invasion of Britain will have been the one in 367, referred to as the "barbarian conspiracy" (27.8.1), which was eventually beaten off by Theodosius. In this passage Amm. has Picts, Attacotti and Scots attacking

Britain, and Franks and Saxons the Gallicanos tractus ("the Gallic regions", 8.5), which shows the possibility of Theodosius encountering Saxons on the continent at that time.

In short, the historical importance of this part of the passage of Pacatus is that it confirms the evidence of Claudian that Theodosius fought naval battles against the Saxons, and that it adds the information that at some time he campaigned in Batavia, whether against Saxons or others.

As to the chronology, Amm.28.3.9 says that upon the successful completion of the British operation Theodosius went straight back to court and was promoted. Thereafter he was very busy, and in the public eye. It will therefore prove easier to fit in a campaign in Batavia before, or in conjunction with, the British campaign than afterwards.

Moving to (3), the reference to Alamanni is to a campaign in 370 when Theodosius attacked them through Raetia (Amm 28.5.15 for details), and is to be distinguished from (1) (Rhine and Waal), pace PLRE I ibid, for per Raetias must mean going east of the Rhine. The reference to Maurus is to the campaign against Firmus, 373-5 (Amm.24.5).

As for Scotum, the passage of Claudian cited above (line 32) suggests that Scottish marshes ought to be located in Ireland. In any case this is obviously part of Theodosius' British campaign (Amm.27.8.5; v.supra), so no disquiet need be felt by the elimination of the word Britanniam. Theodosius' British exploits are covered by Pacatus.

This leaves (1). No "slaughter of Sarmatians" is attested elsewhere for Theodosius. But in the light of other chronological indications, and by pulling together disparate items - that Theodosius and his son campaigned together (Pacatus 8.3; cf. Zos.4.35.3 - in Britain -with 4.24.4), that the son, the future emperor, won a victory over the Sarmatians as dux Moesiae, in 374 (Amm.29.6.15), that military units were sent by Valentinian I to Africa from Pannonia and Moesia upon Firmus' rebellion (Zos.4.16.3), which Theodosius was to put down - it is possible to locate this episode just prior to the Moroccan campaign, i.e. to c.372 (But Theodosius himself did not go to Africa directly from Illyricum, but from Arles, Amm.29.5.5). An inscription from Stobi (AE 1931, 53; R. Egger, "Der erste Theodosius", Byzantion 5, 1929-1930, 9 - 32 = Romisches Antike und Fruhes Christentum

1, edd. A. Betz and G. Moro, 1, Klagenfurt, 1967, 126-143) setting out Theodosius' career, seems to confirm Pacatus' claim by referring to "great joy (or delight) of the Dardanians" (= Illyrians).

What then of the Rhine and Waal? Visions of Theodosian success overwhelm Pacatus; one triumph suggests another; ideally we ought not then to get doublets. These engagements ought to be different from those in 370 against the Alamanni or those in Batavia. ILS 771 (late 369 or 370; Rome) entitles Valentinian I Franciscus Maximus, which A. Demandt, "Die Feldzüge des älteren Theodosius", Hermes 100 (1972) 81-113, 82-4, attributes to an early victory of Theodosius not mentioned by Amm. (cf, however, Tomlin, op. cit., 477 n.41 - but the absence of Franciscus from the titles at 5.4 below is not a serious weakness of the argument: the list is clearly selective). Obviously Theodosius must have had some military success before being chosen to deal with the emergency in Britain. His other known campaigns are later. It is therefore tempting to put this one in 366, as does Demandt. That the reference is to Valentinian's campaign across the Rhine against King Macrianus and the Alamanni in 372(?) is most improbable; the campaign was not a success (cf. Amm.29.4) and mention of the Waal would be inappropriate - the fighting was opposite Trier and Mainz near Wiesbaden (ibid).

SUMMARY

366	vs. the Franks on the Lower Rhine and Waal.
367	vs. the Saxons at sea, and in Batavia.
367/8 or 368/9	In Britain
370	vs. the Alamanni as <u>magister equitum</u> .
371 or 372	vs. King Macrianus and the Alamanni.
372 or 3	vs. Sarmatians.
373-5	vs. Firmus in Africa.
early 376	Executed at Carthage.

ABBREVIATIONS

AE	L'Année Epigraphique
Amm.	Ammianus Marcellinus
Chron.Min.	Chronica Minora, ed. Th. Mommsen, <u>MGH</u>
Chron.Pasch.	Chronicon Paschale
CIL	Corpus Inscriptionum Latinarum
Coll.Avell.	Collectio Avellana
Cons.Const.	Consularia Constantinopolitana
CP	Classical Philology
CQ	Classical Quarterly
CR	Classical Review
CSEL	Corpus Scriptorum Ecclesiasticorum Latinorum
CTh	Codex Theodosianus
DMP	De Mortibus Persecutorum
Epit.	Epitome de Caesaribus
FHG	Fragmenta Historicorum Graecorum, ed. C. Müller
HE	Historia Ecclesiastica
ICUR	Inscriptiones Christianae Urbis Romae, ed. G.B. de Rossi (n.s. ed. A.Silvagni, 1922-1964)
ILS	Inscriptiones Latinae Selectae, ed. H. Dessau
JHS	Journal of Hellenic Studies
JRS	Journal of Roman Studies
Lewis and Reinhold,	N. Lewis and M. Reinhold, <u>Roman Civilization</u> , Vol. 2, The Empire (New York, 1955)
LRE	A.H.M. Jones, <u>The Later Roman Empire</u> (Oxford, 1964)
MGH	auct.ant. Monumenta Germaniae Historica auctores antiquissimi
PL	Patrologia Latina
PLRE 1	<u>The Prosopography of the Later Roman Empire</u> , Vol. I, ed. A.H.M. Jones, J.R. Martindale and J. Morris (Cambridge, 1971)
PLRE 2	<u>idem</u> , Vol. 2, ed. J.R. Martindale (Cambridge, 1980)

RAC	Reallexikon für Antike und Christentum, ed. T. Klauser et al. (Stuttgart, 1950 -)
RE	Pauly-Wissowa (Kroll), Real-Encyclopädie der classischen Altertumswissenschaft
REA	Revue des Etudes Anciennes
RIC 9	Roman Imperial Coinage Vol. 9, ed. J.W.F. Pearce (London, 1951)
RM	Rheinisches Museum
Seeck, <u>Untergang</u>	O. Seeck, Geschichte des Untergangs der antiken Welt Vol. 5, 2nd ed. (Stuttgart, 1920)
SHA	Scriptores Historiae Augustae
Victor	Sextus Aurelius Victor, Caesares (ed. F. Pichlmayr, revised, 1966)
Zos.	Zosimus

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THE EMPEROR THEODOSIUS I 'the Great' is remembered as a champion of Catholicism and for his confrontations with Ambrose, bishop of Milan. Pacatus' *Panegyric*, here made available in English for the first time, celebrates rather Theodosius' victory over the usurper Magnus Maximus, whose rebellion in Britain, murder of Gratian and occupation of Gaul rent the Western Empire and threw the court of Milan into turmoil in the 380s. But Pacatus' fulsome praise of Theodosius and his vilification of Maximus cannot disguise the fact that Theodosius was curiously slow to avenge the death of his colleague Gratian and to come to the rescue of the Italian court. When he did come, it was at the head of an army with large contingents of barbarian Goths, Huns and Alani to oppose a fellow Catholic who claimed both his kinship and his support. A historical introduction and detailed commentary help to elucidate Pacatus' highly rhetorical speech.

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